

Divisio 101

JOD-11100

26.6.76



भारत का राजपत्र

The Gazette of India

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 27]

नई दिल्ली, शनिवार, जुलाई 6 1974/ आषाढ़ 15, 1896

No. 27]

NEW DELHI, SATURDAY, JULY 6, 1974/ASADHA 15, 1896

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके

Separate paging is given to this part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ राज्य क्षेत्र प्रशासनों को छोड़कर)

केन्द्रीय प्राधिकारियों द्वारा जारी किये गये सर्वाधिक आदेश और अधिसूचनाएं

**Statutory orders and notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence) by Central Authorities
(other than the Administrations of Union Territories)**

मंत्रिमण्डल सचिवालय

(कार्मिक और प्रशासनिक सुधार विभाग)

नई दिल्ली, 7 जून, 1974

एयर आफीसर कर्माडिंग इन-चीफ,
मुख्यालय सं० 1 (प्रचालन) युग,
भारतीय वायु सेना।

मुख्यालय सं० 1 (प्रचालन)
ग्रुप, भारतीय वायु सेना।

[संख्या 7/3/71-स्थापना(ए)]

एम० कृष्णन, निदेशक

CABINET SECRETARIAT

(Department of Personnel and Administrative Reforms)

New Delhi, 7 June, 1974.

S.O.1648—In exercise of the powers conferred by the proviso to article 309 of the Constitution the President hereby makes the following rules further to amend the Central Civil Services (Classification, Control and Appeal) Rules, 1965, namely:—

- (1) These rules may be called the Central Civil Services (Classification, Control and Appeal) Amendment Rules, 1974.
- (2) They shall come into force on the date of their publication in the official Gazette.

का० आ० 1648—राष्ट्रपति, संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) नियम, 1965 में और मंशोधन करने के लिए निम्नलिखित नियम बनाने हेतु, अर्थात् —

- (1) इन नियमों का नाम केन्द्रीय सेवा (वर्गीकरण, नियंत्रण और अपील) मंशोधन नियम, 1974 है।

- (2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2 केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) नियम 1965 की अनुसूची के भाग 5 में, उस सं० 2 के भाग में सं० ख (VII) में, संसंध 3, 1, और 5 में, विद्यमान प्रविष्टियाँ के पश्चात्, कमरा निम्नलिखित अन्तःस्थापित किए जाएंगे, अर्थात् —

प्रधान प्रशासनिक नियंत्रण अधीन एयर आफीसर कर्माडिंग इन-चीफ,
पदों की सूची,

2. In Part-V of the Schedule to the Central Civil Services (Classification, Control and Appeal) Rules, 1965, in columns 3, 4 and 5 against Sl. No. 2 in item B (vii) the following shall respectively be inserted after the existing entries, namely:—

Air Officer Commanding-in-Chief Headquarters No. 1 (Operational) Group, Indian Air Force in respect of posts under his administrative control.

Air officer Commanding-in-Chief Headquarters, No.1 (Operational) Group All Indian Air Force.

[No. 7/3/74 Estt(A)]

S. KRISHNAN, Director

नई दिल्ली, दिनांक 19 जून, 1974

का० प्रा० 1649.—केन्द्रीय सिविल सेवाएं (अस्थायी सेवाएं) नियम, 1965 के नियम 5 के उपनियम (2) के खण्ड (क) के उपबन्धों के अनुसरण में, केन्द्रीय सरकार निम्नलिखित सारणी के कालम (1) में उल्लिखित प्राधिकारियों को एतद्वारा ऐसे प्राधिकारी विनिर्दिष्ट करती है, जिनके द्वारा उक्त उप नियमों द्वारा प्रवृत्त शक्तियों का प्रयोग उक्त सारणी के कालम (2) में प्रत्येक ऐसे प्राधिकारी के सामने निर्दिष्ट सीमा तक किया जाएगा अर्थात्—

सारणी

प्राधिकारी का नाम	शक्तियों के प्रयोग की सीमा
(1)	(2)
1. महा निदेशक	संबंधित क्षेत्र के कर्मचारियों के
2. केन्द्रीय रिजर्व पुलिस बल के प्रत्येक सेक्टर का पुलिस महा-निरीक्षक	विषय उससे अधीनस्थ किसी प्राधिकारी द्वारा नियम 5(1) के अधीन पारित किए गए आदेशों के संबंध में।

[संख्या एफ 4/3/73-स्थापना (ग)]

जे० एम० अहलुवालिया, अवर सचिव

New Delhi, the 19 June, 1974.

S.O. 1649.—In pursuance of the provisions of clause (a) of sub-rule (2) of rule 5 of the Central Civil Services (Temporary Services) Rules, 1965, the Central Government hereby specifies the authorities mentioned in column (1) of the Table below as the authorities by which the powers conferred by the said sub-rule may be exercised to the extent indicated against each such authority in column (2) of that Table namely:—

TABLE

Name of authority	Extent of powers
(1)	(2)
1. Director General	In respect of orders passed under
2. Each Sector IGP of CRPF.	rule 5(1) against employees of the concerned sector by any authority subordinate to him

[No. F. 4/3/73-Estt. (C)]

J.S. AHLUWALIA, Under Secy.

भारत निर्वाचन आयोग

शुद्धि-पत्र

नई दिल्ली, 12 जून, 1974

का० प्रा० 1650.—भारत निर्वाचन आयोग की अधिसूचना संख्या 154/तमिल०/74 तारीख 2 मई, 1974 में "8 मई, 1974" शब्द तथा अंकों के स्थान पर "13 मई, 1974" शब्द तथा अंक पढ़े जाएं।

[सं० 134/तमिलनाडु/74]

वी० नागसुब्रमण्यम, सचिव

ELECTION COMMISSION OF INDIA CORRIGENDUM

New Delhi, the 12th June, 1974

S.O. 1650.—In the Election Commission of India notification No. 154/TN/74, dated the 2nd May, 1974, for the words and figures "8th May, 1974", read "13th May, 1974".

[No. 154/TN/74]

V. NAGASUBRAMANIAN, Secy.

विधि, न्याय तथा कम्पनी कार्य मंत्रालय

(विधायी विभाग)

नई दिल्ली, 20 जून, 1974

का० प्रा० 1651 —दुर्गाह खवाजा साहेब अधिनियम, 1955 (1955 का 36) की धारा 9 की उप-धारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करने हुए और भारत सरकार, विधि और न्याय मंत्रालय, विधायी विभाग की अधिसूचना सं० 11/7/71-वक्फ० तारीख 22 जून, 1972 के क्रम में, केन्द्रीय सरकार, दुर्गाह कमेटी, अजमेर के परामर्श से कर्नाटक राज्य के सेवानिवृत्त सहायक आयुक्त श्री ए० मसूरी को 29 जून, 1974 से एक वर्ष की अवधि के लिए दुर्गाह खवाजा साहेब, अजमेर के नजीम के रूप में नियुक्त करती है।

[सं० 11/6/74-वक्फ०]

एन० श्रीनिवासन, उप सचिव

MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS (Legislative Department)

New Delhi, the 20th June, 1974

S.O. 1651.—In exercise of the powers conferred by sub-section (1) of section 9 of the Durgah Khawaja Saheb Act, 1955 (36 of 1955), and in continuation of the notification of the Government of India in the Ministry of Law and Justice, Legislative Department No. 11/7/71—Wakf, dated the 22nd June, 1972, the Central Government, in consultation with the Durgah Committee, Ajmer, hereby appoints Shri M.A. Mansuri, Retired Assistant Commissioner, Karnataka State, as Nazim, Durgah Khawaja Saheb, Ajmer, for a further period of one year with effect from the 29th June, 1974.

[No. 11/6/74-Wakf.]

N. SRINIVASAN, Dy. Secy.

वित्त मंत्रालय

(राजस्व और बोधा विभाग)

नई दिल्ली, 13 मई, 1974

अयकर

कां.प्रा. 1642.—केन्द्रीय सरकार, आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखण्ड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए श्री एम० एम्० देशपाण्डे को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी है, उक्त अधिनियम के अधीन कर-वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2 श्री एम० जी० हंगल की नियुक्ति जो अधिसूचना सं० 91 (फा० सं० 404/194/72-आई टी सी सी) तारीख 19 मई, 1972 के अधीन की गई थी, रद्द की जाती है।

3 यह अधिसूचना 15-5-74 को प्रवृत्त होगी।

[सं० 612 (404/141/74 आई० टी० सी० सी०)]

MINISTRY OF FINANCE

(Department of Revenue & Insurance)

New Delhi, the 13th May, 1974

Income-Tax

S.O. 1652.—In exercise of the powers conferred by sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby authorises Shri S. H. Deshpande who is a Gazetted Officer of the Central Government to exercise the powers of a Tax Recovery Officer under the said Act.

2 The appointment of Shri L. G. Hangal made under Notification No. 91 (F. No. 404/194/72-ITCC) dated the 19th May, 1972 is hereby cancelled.

3 This Notification shall come into force with effect from 15-5-1974.

[No. 612 (404)/41/74-ITCC]

नई दिल्ली, 23 मई, 1974

कां.प्रा. 1653.—केन्द्रीय सरकार, आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखण्ड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए श्री के० के० जे० इमैनुएल को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी है, इस अधिनियम के अधीन कर-वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2 अधिसूचना सं० 50 (फा० सं० 404/46/71-आई टी सी सी) तारीख 22 फरवरी, 1971 के अधीन की गई श्री एम० एल भारती की नियुक्ति उस तारीख से रद्द की जाती है जिसको यह अधिसूचना प्रवृत्त होगी।

3 यह अधिसूचना 23 मई 1974 से प्रवृत्त होगी।

[सं० 621 (फा० सं० 404/80/74-आई टी सी सी)]

New Delhi, the 23rd May, 1974

S.O. 1653.—In exercise of the powers conferred by sub-clause (iii) of Clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby authorises Shri K. J. Emmanuel who is a Gazetted Officer of the Central Government to exercise the powers of a Tax Recovery Officer under the said Act.

2. The appointment of Shri S. Arul Bharathy made under Notification No. 50 (F. No. 404/46/71-ITCC) dated the 22nd February, 1971 is cancelled with effect from the date of this notification comes into force.

3. This notification shall come into force with effect from the 23rd May, 1974.

[No. 621 (F. No. 404/80/74-ITCC)]

कां.प्रा. 1654.—केन्द्रीय सरकार, आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखण्ड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री एम० रामाचन्द्रन को जो केन्द्रीय सरकार के राजपत्रित अधिकारी है, इस अधिनियम के अधीन कर-वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2 अधिसूचना सं० 182 (फा० सं० 404/46/71-आई टी सी सी) तारीख 14 जून 1971 के अधीन की गई श्री टी० एम० रामास्वामी की नियुक्ति उस तारीख से रद्द की जाती है जिससे यह अधिसूचना प्रवृत्त होगी।

3 यह अधिसूचना 3 जून, 1974 को प्रवृत्त होगी।

[सं० 623 (फा० सं० 404/80/74-आई० टी० सी० सी०)]

S.O. 1654.—In exercise of the powers conferred by sub-clause (iii) of Clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby authorises Shri S. Ramachandran who is a Gazetted Officer of the Central Government to exercise the powers of a Tax Recovery Officer under the said Act.

2 The appointment of Shri T. M. Ramaswamy made under Notification No. 182 (F. No. 404/46/71-ITCC) dated the 14th June, 1971 is cancelled with effect from the date of this notification comes into force.

3. This notification shall come into force with effect from the 3rd June, 1974.

[No. 623 (F. No. 404/80/74-ITCC)]

कां.प्रा. 1655.—केन्द्रीय सरकार, आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखण्ड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री एम० पी० राना को जो केन्द्रीय सरकार के राजपत्रित अधिकारी है, उक्त अधिनियम के अधीन कर-वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

अधिसूचना सं० 606 (फा० सं० 404/133/74-आई टी सी सी), तारीख 2 मई, 1974 के अधीन की गई श्री जे० एम० मेहरा की नियुक्ति 25 मई, 1974 से रद्द की जाती है।

यह अधिसूचना 25 मई, 1974 को प्रवृत्त होगी।

[सं० 625 (फा० सं० 404/133/74-आई० टी० सी० सी०)]

S.O. 1655.—In exercise of the powers conferred by sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961) the Central Government hereby authorises Shri M. P. Rana who is a Gazetted Officer of the Central Government to exercise the powers of a Tax Recovery Officer under the said Act.

2. The appointment of Shri J. N. Mehra made by Notification No. 606 (F. No. 404/133/74-ITCC) dated the 2nd May, 1974 is cancelled with effect from 25th May, 1974.

3. This notification shall come into force with effect from the 25th May, 1974.

[No. 625 (F. No. 404/133/74-ITCC)]

का० प्रा० 1656.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखण्ड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार श्री जी० सत्यनारायण मूर्ती को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी, है, उक्त अधिनियम के अधीन कर-वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. अधिसूचना सं० 49 (फा० सं० 404/55/70-आई० टी० सी०-सी), तारीख 23 अप्रैल, 1970 के अधीन श्री जी० सुब्रमन्यम की नियुक्ति 18 अप्रैल, 1974 से रद्द की जाती है।

3. यह अधिसूचना 23 मई, 1974 से प्रवृत्त होगी।

[सं० 626ए (एफ० सं० 404/156/74-आई० टी० सी० सी)]

S.O. 1656.—In exercise of the powers conferred by sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby authorises Shri G. Satyanarayana Murthy, who is a Gazetted Officer of the Central Government to exercise the powers of a Tax Recovery Officer under the said Act.

2. The appointment of Shri G. Subramaniam made under notification No. 49 (F. No. 404/55/70-ITCC) dated 23rd April, 1970 is cancelled with effect from 18th April, '74.

3. This Notification shall come into force with effect from 23rd May, 1974.

[No. 626A (F. No. 404/156/74-ITCC)]

नई दिल्ली, 25 मई, 1974

का० प्रा० 1657.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखण्ड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, क्रमशः अधिसूचना सं० 161 (फा० सं० 404/232/72-आई० टी० सी० सी०), तारीख 21 अगस्त, 1972 एवं अधिसूचना सं० 379 (फा० सं० 404/15/73-आई० टी० सी० सी०), तारीख 15 जनवरी, 1973 के अधीन कर-वसूली अधिकारी के रूप में नियुक्त किए गए श्री आर० एच० देशपांडे तथा श्रीमती के० टी० रण्डेलिया की नियुक्तियां रद्द करती है।

2. यह अधिसूचना तुरन्त प्रवृत्त होगी।

[सं० 628 (फा० सं० 404/159/74-आई० टी० सी० सी)]

टी० आर० अग्रवाल, उप सचिव

New Delhi, the 25th May, 1974

S.O. 1657.—In exercise of the powers conferred by sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961) the Central Government hereby cancels the appointments as Tax Recovery Officers of Shri R. H. Deshpande. Smt. K. T. Pandelia appointed vide Notification No. 161 (F. No. 404/232/72-ITCC) dated 21st August, 1972 and of Shri M. H. Shaikh appointed vide Notification No. 379 (F. No. 404/15/73-ITCC) dated 15th June, 1973.

2. This Notification shall come into force with immediate effect.

[No. 628 (F. No. 404/159/74-ITCC)]

F. R. AGGARWAL, Dy. Secy.

आयकर

नई दिल्ली, तारीख 22 मई 1974

का० प्रा० 1658.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि निम्न वर्णित संस्था को भारतीय सामाजिक विज्ञान अनुसंधान परिषद् विहित प्राधिकारी, द्वारा आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (iii) के प्रयोजनों के लिए अनुमोदित किया गया है।

संस्था

टी० एस० नारायणस्वामी इन्स्टिट्यूट आफ सोशल एन्ड बिजनेस रिसर्च, मद्रास।

यह अधिसूचना 1 अप्रैल, 1975 से प्रभावी होगी।

[सं० 617 (फा० सं० 203/34/73-आई० टी० ए० II)]

टी० पी० झुनझुनवाला, उप सचिव

New Delhi, the 22nd May, 1974.

S.O. 1658.—It is hereby notified for general information that the institution mentioned below has been approved by Indian Council of Social Science Research, the prescribed authority for the purposes of clause (iii) of sub-section (1) of Section 35 of the Income-tax Act, 1961.

INSTITUTION

T. S. NARAYANASWAMI INSTITUTE OF SOCIAL AND BUSINESS RESEARCH, MADRAS

The notification will take effect from 1st April, 1973.

[No. 617 (F. No. 203/34/73-ITA. II)]

का० प्रा० 1659.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि निम्न वर्णित संस्था को भारतीय सामाजिक विज्ञान अनुसंधान परिषद् विहित प्राधिकारी, द्वारा आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (iii) के प्रयोजनों के लिए अनुमोदित किया गया है।

यह अधिसूचना 1-4-1973 से प्रभावी होगी।

संस्था

इण्डियन इन्स्टिट्यूट आफ इस्लामिक स्टडीस, नई दिल्ली।

[सं० 618 (फा० सं० 203/9/74-आई० टी० ए० II)]

टी० पी० झुनझुनवाला, उप सचिव

S.O. 1659.—It is hereby notified for general information that the institution mentioned below has been approved by Indian Council of Social Science Research, the prescribed authority for the purposes of clause (iii) of sub-section (1) of Section 35 of the Income-tax Act, 1961. The notification will take effect from 1.4.73.

INSTITUTION

INDIAN INSTITUTE OF ISLAMIC STUDIES, NEW DELHI

[No. 618 (F. No. 203/9/74-ITA. II)]

T. P. JHUNJHUNWALA, Dy. Secy.

नई दिल्ली, 19 जून, 1974

का० प्रा० 1660.—विश्व बीमा कारबार (राष्ट्रीयकरण) अधिनियम, 1972 (1972 का 57) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारत सरकार के वित्त मन्त्रालय (राजस्व और बीमा विभाग) की अधिसूचना संख्या का० प्रा० 771 (क), जो भारत के राजपत्र अध्यादेश भाग 2—खण्ड 4 उपखण्ड (ii), तारीख 29 दिसम्बर, 1972 में पृष्ठ 2094 से 2097 पर प्रकाशित हुई है, निम्नलिखित संशोधन करती है, अर्थात्—

“उक्त अधिसूचना के नीचे सारणी में—

(क) स्तम्भ (1) में “धारा 64 प क” के सामने स्तम्भ (2) में विद्यमान प्रविष्टि के पश्चात् निम्नलिखित जोड़ा जाएगा, अर्थात्—

“उपधारा (2) में, ‘नियंत्रक के कार्यालय का नियंत्रक द्वारा नामनिर्देशित अधिकारी’ शब्दों के स्थान पर ‘विश्व बीमा कारबार (राष्ट्रीयकरण) अधिनियम, 1972 (1972 का 57) की धारा 9 के अधीन बनाए गए भारतीय विश्व बीमा निगम का अधिकारी या, उक्त अधिनियम की धारा 3 के खण्ड (क) में यथा-परिभाषित अर्जक कंपनियों में से किसी का अधिकारी, या नियंत्रक के कार्यालय का सलाहकार समिति के अध्यक्ष द्वारा नामनिर्देशित अधिकारी’ शब्द अक, अक्षर और कोष्ठक रखे जाएंगे।”

(ख) स्तम्भ (1) में “धारा 64 प क” प्रविष्टि, तथा उसमें सम्मिलित न्यायिक प्रविष्टियों के पश्चात् निम्नलिखित जोड़े जाएंगे, अर्थात्—

(1)	(2)
“धारा 64 प क	उपधारा (5) में बीमा नियंत्रक’ शब्दों के स्थान पर ‘सलाहकार समिति का अध्यक्ष’ शब्द रखे जाएंगे।”
	[फाइल संख्या-51(1)-सीमा(i)/73]
	प्रा० के० महाजन निदेशक

New Delhi, the 19th June, 1974

S.O. 1660.—In exercise of the powers conferred by section 35 of the General Insurance Business (Nationalisation) Act, 1972 (57 of 1972), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue and Insurance) No. S. O. 771 (E), dated the 29th December, 1972, published at pages 2092 to 2094 of the Gazette of India, Extraordinary, Part II, Section 3 Sub-section (ii), dated the 29th December, 1972, namely :—

In the Table below the said notification :—

(a) after the existing entry in column (2) against the entry “Section 64UA”, in column (1), the following shall be inserted, namely :—

“In sub-section (2), for the words ‘officer of the office of the Controller, nominated by the Controller’,

the words ‘officer of the General Insurance Corporation of India formed under section 9 of the General Insurance Business (Nationalisation) Act, 1972 (57 of 1972), or of any of the acquiring companies as defined in clause (a) of section 3 of the said Act, or an officer of the office of the Controller, nominated by the Chairman of the Advisory Committee’ shall be substituted.”;

(b) after the entry “Section 64UA” in column (1), and the corresponding entries relating thereto, the following shall be inserted, namely :—

(1)	(2)
“Section 64 UB	In Sub-section (5), for the words ‘The Controller of Insurance, the words ‘The Chairman of the Advisory Committee’ shall be substituted.”

[F.No. 51(1)-Ins. 1/73]

R. K. MAHAJAN, Director

नई दिल्ली, 6 जुलाई, 1974

प्रादेश

स्टाम्प

का० प्रा० 1661.—केन्द्रीय सरकार भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस शुल्क से, जो पञ्जाब वित्तीय निगम चडोगढ़ द्वारा जारी किए जाने वाले पञ्चीस लाख रुपये के डिबेंचरों के रूप में अधपत्रों पर उक्त अधिनियम के अधीन प्रसार्य हैं, छूट देती है।

[स० 20/74-स्टाम्प/फ० स० 171/31/74-कस०]

ज० रामाकृष्ण, अवसर सचिव

New Delhi, the 6th July, 1974

ORDFR

STAMPS

S.O. 1661.—In exercise of the powers conferred by clause (a) of sub-section (1) of the section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the ad-hoc bonds in the form of debentures to the value of twenty-five lakhs of rupees, to be issued by the Punjab Financial Corporation, Chandigarh, are chargeable under the said Act.

[No. 20/74-Stamps/F. No. 471/31/74-Cus. VII]

J. RAMAKRISHNAN, Under Secy.

नई दिल्ली, 6, जुलाई 1974

का० प्रा० 1662.—केन्द्रीय सरकार सोसायटी अधिनियम, 1962 (1962 का 52) की धारा 7 के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, बंगलौर का उस दशा में निम्नलिखित नियमित माल के लदान के प्रयोजनों के लिए बीमा शुल्क हवाई पत्तन के रूप में नियत करती है, अर्थात्—

(1) चन्दन का तेल,

(2) अगस्त्य

- (3) टेलीफोन उपकरण,
 (4) वैमानिकी उपकरण और
 (5) इलेक्ट्रॉनिक ट्यूब, वाल्व और ट्रांजिस्टर, जब कि ऐसे माल
 हवाई पत्तन से बाहर ले जाए जाते हैं।

[सं० 57/74-सीमा शुल्क/फ० सं० 479/22/73-सीमा-शुल्क]

New Delhi, the 6th July, 1974

CUSTOMS

S.O. 1662.—In exercise of the powers conferred by clause (a) of Section 7 of the Customs Act, 1962 (52 of 1962), the Central Government hereby appoints Bangalore as a Customs airport for the purposes of loading of export goods, namely:—

- (i) Sandalwood oil,
 (ii) Agarbatties,
 (iii) Telephonic equipment,
 (iv) Aeronautical equipment, and
 (v) Electronic Tubes, Valves and Transistors when such goods are taken out of this airport.

[No. 57/74-Customs/F. No. 479/22/73-Cus. VII]

केन्द्रीय उत्पाद-शुल्क और सीमा-शुल्क बोर्ड

सीमा शुल्क

का० प्रा० 1663.—केन्द्रीय उत्पाद-शुल्क और सीमा-शुल्क बोर्ड, सीमा-शुल्क अधिनियम, 1962 (1962 का 52) की धारा 9 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राजस्थान राज्य में भीलवाड़ा की भाण्डागारण केन्द्र के रूप में घोषित करती है।

[सं० 56/74-सीमा-शुल्क फ० सं० 473/108/74-सी० शु० VII]
 डी० स्वरूप, प्रवर सचिव

CENTRAL BOARD OF EXCISE & CUSTOMS

New Delhi, the 6th July, 1974

CUSTOMS

S.O. 1663.—In exercise of the powers conferred by section 9 of the Customs Act, 1962 (52 of 1962), the Central Board of Excise and Customs hereby declares Bhilwara in the State of Rajasthan to be a warehousing station.

[No. 56/74-Customs/F. No. 473/108/74-Cus. VII]

D. SARUP, Under Secy.

बैंकिंग विभाग

नई दिल्ली, 27 अप्रैल, 1974

का० प्रा० 1664.—बैंकिंग विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 के साथ पठित धारा 56 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा घोषित करती है कि उक्त अधिनियम की धारा 18 और 24, इस अधि-

सूचना के सरकारी राजपत्र में प्रकाशन की तिथि से, 5 वर्ष की अवधि के लिए दिल्ली स्टेट को-ऑपरेटिव बैंक लि० पर उस सीमा तक लागू नहीं होगी जहाँ तक कि उक्त धाराओं की अपेक्षा यह है कि दिल्ली के सब शामिल क्षेत्र में कृषकों की दीर्घावधि कृषिक ऋण मंजूर करने के प्रयोजनार्थ उक्त बैंक द्वारा जारी किये गये डिबेंचरों से उद्भूत वायित्वों के संबंध में उक्त बैंक उन धाराओं में उल्लिखित तकरी प्रावधान और न्यूनतम परिसम्पत्तियों की क्रमश वर्णित प्रतिशतताएं बनाये रखेगा

परन्तु, सार्वधिक और मांग वायित्वों के संबंध में उक्त अधिनियम की धारा 24 की उप-धारा (2 क) के खण्ड (क) के अधीन, बैंक द्वारा परिसम्पत्तियों का जो प्रतिशत बनाये रखा जाता है, उसकी गणना में, ऐसी सभी अनुमोदित प्रतिभूतियों को छोड़ दिया जायगा जोकि ऐसे डिबेंचरों के मोचन के प्रयोजनार्थ उक्त बैंक द्वारा निमित निक्षेपनिधि की राशि के निवेश का प्रतिनिधित्व करती हो।

[संख्या एफ० 8/3/74-ए० सी०]

एल० डी० कटारिया, उप सचिव

(Department of Banking)

New Delhi, the 27th April, 1974

S.O. 1664.—In exercise of the powers conferred by section 53, read with section 56, of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sections 18 and 24 of the said Act shall not, for a period of five years from the date of publication of this notification in the Official Gazette, apply to the Delhi State Co-operative Bank Ltd., in so far as the said provisions require the said Bank to maintain the percentage of cash reserve and a minimum of assets respectively mentioned therein in respect of the liabilities arising out of the debentures issued by the said Bank for the purpose of granting long-term agricultural loans to the agriculturists in the Union territory of Delhi:

Provided that in computing the percentage of assets which the said Bank is required to maintain under clause (a) of sub-section (2A) of section 24 of the said Act in respect of time and demand liabilities, the approved securities, if any, representing investment of the amount of the sinking fund created by the said Bank for the purpose of redemption of such debentures shall be excluded.

[No. F. 8/3/74-AC]

L. D. KATARIA, Dy. Secy.

नई दिल्ली, 18 जून, 1974

का० प्रा० 1665.—बैंककारी विनियमन अधिनियम (1949 का 10) की 53 और बैंकिंग विनियमन (कम्पनिज) नियमावली, 1949 के नियम 16 के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए रिजर्व बैंक आफ इण्डिया की सिफारिश पर केन्द्रीय सरकार, एतद्वारा घोषित करती है कि उक्त अधिनियम की धारा 31 और उक्त नियमावली के नियम 15 के उपबन्ध बनाम स्टेट बैंक लि०, वाराणसी पर 30 मई, 1974 तक, वहाँ तक लागू नहीं होंगे, जहाँ तक कि उनका संबंध इस बैंक के 31 दिसम्बर, 1973 को समाप्त होने वाले वर्ष के मुलान-वर्ष और हानि-लाभ लेखों के, लेखा परीक्षकों की रिपोर्टों सहित, समाचार-पत्र में प्रकाशन में है।

[सं० 15(17)बी० ओ० 111/74]

New Delhi, the 18th June, 1974

S.O. 1665.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949) and Rule 16 of the Banking Regulation (Companies) Rules, 1949, the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 31 of the said Act and Rule 15 of the said Rules shall not apply to the Benares State Bank Ltd., Varanasi till the 30th September, 1974 in so far as they relate to the publication of the bank's balance sheet and profit and loss account for the year ended the 31st December, 1973 together with the auditor's report in a newspaper.

[No. 15(17) B. O. III/74]

क्र० आ० 1666.—बैंककारी विनियमन अधिनियम 1949 (1949 का 10) की धारा 53 और बैंकिंग विनियमन (कम्पनीज) नियमावली, 1949 के नियम 16 के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए रिजर्व बैंक आफ इंडिया की सफारिश पर केन्द्रीय सरकार, एतद्वारा घोषित करती कि उक्त अधिनियम की धारा 31 और उक्त नियमावली के नियम 15 के उपबन्ध, निम्नलिखित बैंकिंग कम्पनियों पर वहां तक लागू नहीं होंगे जहां तक कि उनका संबंध, इन बैंकों के 31 दिसम्बर, 1973 को समाप्त

होने वाले वर्ष के तुल्य-पत्र और हानि-लाभ लेख के, लेखा परीक्षकों की रिपोर्टों सहित, समाचार-पत्र में प्रकाशन से है—

1. पी० एन० एन० बैंक लि०, सलेम।
2. श्री पूर्णत्रयीण विलासम बैंक, लि०, त्रिपुनितुरा।

[स० 15(17)बी० ओ० 3/74(1)]

मे० आ० उमगांवकर, अवर सचिव

S.O. 1666.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949) and Rule 16 of the Banking Regulation (Companies) Rules, 1949, the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 31 of the said Act and Rule 15 of the said Rules shall not apply to the undermentioned banking companies in so far as they relate to the publication of their balance sheets and profit and loss accounts for the year ended the 31st December, 1973, together with the auditors' reports in a newspaper :—

1. P. N. N. Bank Ltd., Salem.
2. Sree Poornathrayeesa Vilasom Bank Ltd., Tripunithura.

[No. 15(17) B. O. III/74(i)]

M. B. USGAONKAR, Under Secy.

रिजर्व बैंक आफ इंडिया

नई दिल्ली, 22 जून, 1974

क्र० आ० 1667.—रिजर्व बैंक आफ इंडिया अधिनियम, 1934 के अनुसरण में जून 1974 की 14 तारीख को समाप्त हुए सप्ताह के लिए लेखा

इशू विभाग

देयताएं	रुपये	रुपये	आस्तियां	रुपये	रुपये
बैंकिंग विभाग में रखे हुए नोट	37,23,27,000		सोने का सिक्का और बुलियन—		
संचयन में नोट	6609,58,57,000		(क) भारत में रखा हुआ	182,53,05,000	
			(ख) भारत के बाहर रखा हुआ	..	
			विदेशी प्रतिभूतियां	166,73,97,000	
जारी किये गए कुल नोट		6646,81,84,000	जोड़		349,27,02,000
			रुपये का सिक्का		4,29,18,000
			भारत सरकार की रपया प्रतिभूतियां		6293,25,64,000
			देशी विनिमय बिल और दूसरे वाणिज्य-पत्र		..
कुल देयताएं		6646,81,84,000	कुल आस्तियां		6646,81,84,000

सारीख : 19 जून, 1974

एम० जगन्नाथन, गवर्नर

11 जून, 1974 को रिज़र्व बैंक आफ इंडिया के बैंकिंग विभाग के कार्यकलाप का विवरण

देयताएं	रुपये	प्राप्ति	रुपये
मुफता पूंजी	5,00,00,000	नोट	37,23,27,000
प्रारक्षित निधि	150,00,00,000	रुपये का सिक्का	3,55,000
राष्ट्रीय कृषि ऋण		छोटा सिक्का	3,62,000
(दीर्घकालीन क्रियाएं) निधि	239,00,00,000	खरीदे और भुनाये गये बिल—	
राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि	85,00,00,000	(क) देशी	278,45,63,000
राष्ट्रीय औद्योगिक ऋण (दीर्घकालीन क्रियाएं)		(ख) विदेशी	
निधि	205,00,00,000	(ग) सरकारी खजाना बिल	163,80,57,000
		विदेशों में रखा हुआ बकाया*	594,25,78,000
प्रभारणियां :—		निवेश**	104,70,16,000
(क) सरकारी		ऋण और अग्रिम—	
(i) केन्द्रीय सरकार	69,08,10,000	(i) केन्द्रीय सरकार को	
(ii) राज्य सरकारें	8,72,80,000	(ii) राज्य सरकारों को	174,92,93,000
(ख) बैंक		ऋण और अग्रिम	
(i) अनुसूचित वाणिज्य बैंक	548,24,41,000	(i) अनुसूचित वाणिज्य बैंकों को	435,58,68,000
(ii) अनुसूचित राज्य सहकारी बैंक	16,44,30,000	(ii) राज्य सहकारी बैंकों को	172,17,61,000
(iii) गैर-अनुसूचित राज्य सहकारी बैंक	1,26,14,000	(iii) दूसरों को	15,23,94,000
(iv) अन्य बैंक	52,32,000	राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि से	
		ऋण, अग्रिम और निवेश	
		(क) ऋण और अग्रिम—	
		(i) राज्य सरकारों को	67,93,37,000
		(ii) राज्य सहकारी बैंकों को	16,02,78,000
		(iii) केन्द्रीय भूमिबंधक बैंकों को	
		(iv) कृषि पुनर्वासि निगम को	36,70,00,000
(ग) अन्य	371,28,04,000	(ख) केन्द्रीय भूमिबंधक बैंकों के डिबेंचरों में निवेश	11,21,14,000
		राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि से ऋण और अग्रिम	
देय बिल	115,19,55,000	राज्य सहकारी बैंकों को ऋण और अग्रिम	13,31,03,000
		राष्ट्रीय औद्योगिक ऋण (दीर्घकालीन क्रियाएं) निधि	
अन्य देयताएं	679,05,97,000	से ऋण अग्रिम और निवेश	
		(क) विकास बैंक को ऋण और अग्रिम	176,05,61,000
		(ख) विकास बैंक द्वारा जारी किये गये बांडों/	
		डिबेंचरों में निवेश	
		अन्य प्राप्ति	166,10,96,000
	रुपये 2493,81,63,000		रुपये 2493,81,63,000

*नकदी, आबधिक जमा और अल्पकालीन प्रतिभूमिया शामिल हैं।

**राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि और राष्ट्रीय औद्योगिक ऋण (दीर्घकालीन क्रियाएं) निधि से से किये गये निवेश शामिल नहीं हैं।

†राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि से प्रदत्त ऋण और अग्रिम शामिल नहीं हैं, परन्तु राज्य सरकारों को दिये गये अस्थायी ओवर-ड्राफ्ट शामिल हैं।

‡रिज़र्व बैंक आफ इंडिया अधिनियम की धारा 17 (4) (ग) के अधीन अनुसूचित वाणिज्य बैंकों को मियादी बिलों पर अग्रिम किये गये 145,75,23,000 रुपये शामिल हैं।

§राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि और राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि से प्रदत्त ऋण और अग्रिम शामिल नहीं हैं।

एम० जगज्जन, सचिव

तारीख 19 जून, 1974

[सं० फ० 10(1)/74 जो० प्रो० I]

च० व० मीरजन्दानी, प्रवर सचिव

RESERVE BANK OF INDIA

New Delhi the 22nd June, 1974

S.O. 1667—An Account pursuant to the RESERVE BANK OF INDIA ACT, 1934, for the week ended the 14th day of June 1974
ISSUE DEPARTMENT

Liabilities	Rs.	Rs.	Assets	Rs.	Rs.
Notes held in the Banking Department	37,23,27,000		Gold Coin and Bullion :—		
Notes in circulation	66,09,58,57,000		(a) Held in India	1,82,53,05,000	
Total Notes issued		66,46,81,84,000	(b) Held outside India	..	
			Foreign Securities	1,66,73,97,000	
			Total		3,49,27,02,000
			Rupee Coin		4,29,18,000
			Government of India Rupee Securities		62,93,25,64,000
			Internal Bills of Exchange and other Commercial paper		..
Total Liabilities		66,46,81,84,000	Total Assets		66,46,81,84,000

S. JAGANNATHAN, Governor.

Statement of the Affairs of the Reserve Bank of India, Banking Department as on the 14th June 1974

Liabilities	Rs.	Assets	Rs.
Capital Paid up	5,00,00,000	Notes	37,23,27,000
Reserve Fund	1,50,00,00,000	Rupee Coin	3,55,000
National Agricultural Credit (Long Term Operations) Fund	2,39,00,00,000	Small Coin	3,62,000
National Agricultural Credit (Stabilisation) Fund	85,00,00,000	Bills Purchased and Discounted :—	
National Industrial Credit (Long Term Operations) Fund	2,05,00,00,000	(a) Internal	2,78,45,63,000
Deposits :—		(b) External	
(a) Government		(c) Government Treasury Bills	1,63,80,57,000
(i) Central Government	69,08,10,000	Balances Held Abroad*	5,94,25,78,000
(ii) State Governments	8,72,80,000	Investments**	1,04,70,16,000
(b) Banks		Loans and Advances to :—	
(i) Scheduled Commercial Banks	5,48,24,41,000	(i) Central Government	..
(ii) Scheduled State Co-operative Banks	16,44,30,000	(ii) State Government††	1,74,93,93,000
(iii) Non-Scheduled State Co-operative Banks	1,26,14,000	Loans and Advances to :—	
(iv) Other Banks	52,32,000	(i) Scheduled Commercial Banks†	4,35,58,68,000
(c) Others	3,71,28,04,000	(ii) State Co-operative Banks‡	1,72,17,61,000
Bills Payable	1,15,19,55,000	(iii) Others	15,23,94,000
Other Liabilities	6,79,05,97,000	Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund	
	Rupees 24,93,81,63,000	(a) Loans and Advances to :—	
		(i) State Governments	67,93,37,000
		(ii) State Co-operative Banks	16,02,78,000
		(iii) Central Land Mortgage Banks	..
		(iv) Agricultural Refinance Corporation	36,70,00,000
		(b) Investment in Central Land Mortgage Bank Debentures	11,21,14,000
		Loans and Advances from National Agricultural Credit (Stabilisation) Fund	
		Loans and Advances to State-Co-operative Banks	43,31,03,000
		Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund	
		(a) Loans and Advances to the Development Bank	1,76,05,61,000
		(b) Investment in bonds/debentures issued by the Development Bank	..
		Other Assets	1,66,10,96,000
			Rupees 24,93,81,63,000

*Includes Cash, Fixed Deposits and Short-term Securities.

**Excluding Investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

††Excluding Loans and advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

‡Includes Rs. 145,75,23,000 advanced to scheduled commercial banks against usance bills under Section 17(c) of the Reserve Bank of India Act.

†Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund

S. JAGANNATHAN, Governor

[No. F. 10(1)/74-BO. 1]

Dated : the 19th day of June, 1974

C. W. MIRCHANDANI, Under Secy.

(Department of Expenditure)

New Delhi, the 20th June, 1974

S.O. 1668.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and, after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Central Civil Services (Pension) Rules, 1972, namely :—

1. (1) These rules may be called the Central Civil Services (Pension) (Fourth Amendment) Rules, 1974.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Central Civil Services (Pension) Rules, 1972, in Form 9 appended thereto for the expression "Certified that Shri/Shrimati is a permanent Government servant", the expression "Certified that Shri/Shrimati. is a permanent Government servant and that he/she shall not attain the age of superannuation within two years from the date he/she stands surety" shall be substituted.

[No. 11(2)-EV(A)/74]

S.O. 1669.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and of all other powers enabling him in this behalf and after consultation with the Comptroller and Auditor-General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following regulations, namely :—

1. (1) These regulations may be called the Civil Service (Second Amendment) Regulations, 1974.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Civil Service Regulations, the following articles shall be omitted, namely :—

348A, 349, 349AA, 352, 354, 357, 357-A, 357-B, 359, 361A, 363 to 367 (both inclusive), 369, 370, 371, 374 to 396, (both inclusive), 398 to 402 (both inclusive), 404A, 409, 410, 412, 413, 414, 423, 424, 425, 428 to 435 (both inclusive), 436-A, 452, 460, 464, 465AA, 466, 467, 471, 472, 473, 473A, 474AA, 475, 475AA, 475AAA, 475B, 475, 481 to 484 both inclusive), 486, 486A, 486B, 487A, 487B, 488 to 493 (both inclusive), 494, 495, 496, 498 to 501 (both inclusive), 503, 504, 506, 507, 509, 532 to 550 (both inclusive), 567 to 620 (both inclusive), 620A to 620H (both inclusive), 621 to 624 (both inclusive), 626 to 644 (both inclusive), 649 to 669 (both inclusive), 693 to 727 (both inclusive), 783, 796 to 814 (both inclusive), 931, 935, 936, 937, 939, 940 to 958 (both inclusive), 960, 961, 990, 990A, 992, 993.

[No. F. 6(7)-EV(A)/73]

S. S. L. MALHOTRA, Under Secy.

(आर्थिक कार्य विभाग)

नयी दिल्ली, 29 मई, 1974

क्र० आ० 1670—लोक नियमावली, 1946 के नियम 4 की धारा (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, वित्त मंत्रालय (आर्थिक कार्य विभाग) के अन्तर्गत भारत सरकार की विनांक 22 जून, 1960 की अधिसूचना संख्या क्र० आ० 1614 को एतद्वारा संसूच करती है।

[एफ० संख्या 4(1) डब्ल्यू एण्ड एम/74]

मंगल दास पाल, उप सचिव

(Department of Economic Affairs)

New Delhi, the 29th May, 1974

S.O. 1670.—In exercise of the powers conferred by clause(b) of rule 4 of the Public Rules, 1946, the Central Government hereby rescinds the notification of the Government of India in the Ministry of Finance (Department of Economic Affairs) No. S. O. 1614 dated the 22nd June, 1960.

[F. No. 4(1)-W&M/74]

M. D. PAL, Dy. Secy.

बाणिज्य मंत्रालय

(रबड़ नियंत्रण)

नई दिल्ली, 15 जून, 1974

क्र० आ० 1671—श्री टी० वी० जोसेफ, सचिव, रबड़ बोर्ड कोट्टयम (केरल राज्य) को 20 मार्च, 1974 से 25 मार्च, 1974 तक (दोनों-दिन शामिल हैं) 6 दिन का अर्जित अवकाश मंजूर किया गया है।

2. रबड़ अधिनियम, 1947 (1947 का 24) की धारा 6 ए की उपधारा (2) के अनुसरण में श्री के० वी० चाको को, जो रबड़ बोर्ड, कोट्टयम में वित्त तथा लेखा अधिकारी है, श्री टी० वी० जोसेफ की छुट्टी की अवधि के दौरान उनके अपने कार्यभार के अतिरिक्त सचिव, रबड़ बोर्ड के पद पर स्थापनापत्र रूप में नियुक्त किया गया था।

[क्र० सं० 21/19/67-बागान (बी)]

एम० महादेव अय्यर, अवर सचिव

MINISTRY OF COMMERCE

(RUBBER CONTROL)

New Delhi, the 15th June, 1974

S.O. 1671.—Shri T. V. Joseph, Secretary, Rubber Board, Kottayam, (Kerala State) was granted earned leave for 6 days with effect from 20th March, 1974, to 25th March, 1974 (both days inclusive).

2. In pursuance of sub-section (2) of section 6A of the Rubber Act, 1947 (24 of 1947), Shri K. V. Chacko, Finance and Accounts Officer in the Rubber Board, Kottayam, was appointed to officiate as Secretary, Rubber Board, in addition to his own duties, during the period of leave of Shri T. V. Joseph

[F. No. 21/19/67-Plant(B)]

S. MAHADEVA IYER, Under Secy.

(आंतरिक व्यापार विभाग)

नई दिल्ली, 21 जून, 1974

क्र० आ० 1672—अग्रिम सचिव (नियमन) अधिनियम, 1952 (1952 का 74) की धारा 3 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार वायदा बाजार आयोग, बम्बई के सचिव, श्री ई०के० वासुदेवन को प्रो० एस० वी० कोगेकर, जिनकी आर्थिक छुट्टी मंजूर की गई है, के स्थान पर 2 मार्च 1973 के पूर्वान्त से आगामी आदेश देने तक, वायदा बाजार आयोग, बम्बई के सदस्य के रूप में तत्पर आधार पर कार्य करने के लिए एतद्वारा नियुक्त करती है।

[क्र० सं० 17(10)आई०टी०/73]

यू० एस० राणा, सयुक्तनिदेशक

(Department of Internal Trade)

New Delhi, the 21st June, 1974

S.O. 1672.—In exercise of the powers conferred by sub-section (2) of Section 3 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952) the Central Government hereby appoints Shri E. K. Vasudevan, Secretary of the Forward Markets Commission, Bombay, on ad-hoc basis with effect from the forenoon of the 2nd March, 1974, until further orders, vice Prof. S. V. Kogekar granted terminal leave.

[F. No. 17(10)-IT/73]

U. S. RANA, Jr. Director

toms Copy now required is for Rs. 1264/- only. In support of their claim applicants have furnished sworn affidavit to the effect that the original Customs Purposes copy of the licence has been lost.

I am satisfied that original copy for Customs Purposes of the licence No. PL/1346203 dated 9-11-1970 has been lost and direct that duplicate copy of licence be issued to the applicant.

The Original of Customs Purposes copy of the licence is cancelled.

[Issued from File No. Plastic/47/128/12674/J. M. 69/SCV/EPSC. III]

D. D'SOUZA, Dy. Chief Controller

For Jt. Chief Controller

(संयुक्त मुख्य नियंत्रक, आयात-निर्यात का कार्यालय)

आवेश

बम्बई, 25 मार्च, 1974

का० आ० 1673—सर्वश्री एक्सी प्लास्टिक्स इन्डस्ट्रीज, बम्बई को 23760 रुपये के लिए एक लाइसेंस सं० पी.एल./1346203 दिनांक 9-11-70 इससे चलन सूची के अनुसार माल के आयात के लिए प्रदान किया गया है। उन्होंने लाइसेंस की सीमाशुल्क निकासी प्रति की अनुलिपि के लिए इस आधार पर आवेदन किया है कि मूल सीमाशुल्क निकासी प्रति का 22496 रुपये तक उपयोग होने के बाद खो गई है। अब सीमाशुल्क निकासी प्रति की अनुलिपि की आवश्यकता 1264 रुपये मात्र के लिए है। अपने दावे की पुष्टि में आवेदक ने इस संबंध में एक शपथ पत्र दाखिल किया है कि लाइसेंस की मूल सीमाशुल्क निकासी प्रति खो गई है।

मैं संतुष्ट हूँ कि लाइसेंस सं० पी० एल०/1346203 दिनांक 9-11-70 की मूल सीमाशुल्क निकासी प्रति खो गई है और निदेश देता हूँ कि इसकी अनुलिपि प्रति आवेदक को जारी की जाए।

लाइसेंस की मूल सीमाशुल्क निकासी प्रति रद्द की जाती है।

[[मि० सं० प्लास्टिक/47/128/12674/जे० एम० 69/एस सी 5/

ई पी एम सी० 3 में जारी किया गया]

डॉ० डि'सूजा,

उप-मुख्य नियंत्रक,

नूतने संयुक्त मुख्य नियंत्रक,

(OFFICE OF THE JOINT CHIEF CONTROLLER OF IMPORTS & EXPORTS) ORDER

Bombay, the 25th March, 1974

S.O. 1673.—M/s. Acme Plastics Industries Bombay have been granted licence No. PL 1346203 dated 9-11-1970 for Rs. 23760/- for import of goods as per attached list. They have applied for duplicate copy of the licence for Customs Purposes on the ground that original has been lost having been utilised for value of Rs. 22496/-. The duplicate Custom

(केन्द्रीय लाइसेंस क्षेत्र)

आवेश

नई दिल्ली, 20 जून, 1974

का० आ० 1674—सर्वश्री दि एंग्लिश बुक स्टोर, 17/एल०, कनाट सरकस, नई दिल्ली को रेडबुक के परिशिष्ट 21 के पैरा-2 के अनुसार कथा साहित्य/तकनीकी पत्रिका और वैज्ञानिक पत्रिकाओं और समाचार पत्रिकाओं से भिन्न पुस्तकों के आयात के लिये 58292 रुपये मूल्य का एक संस्थापित आयातक लाइसेंस सं० पी/ई/0217739 दिनांक 28-9-72 प्रदान किया गया था। उन्होंने उक्त लाइसेंस की सीमाशुल्क निकासी प्रति की अनुलिपि जारी करने के लिये इस आधार पर आवेदन किया है कि मूल सीमाशुल्क निकासी प्रति खो गई है/ या अस्थायित्व हो गई है। फर्म ने यह भी बताया है कि लाइसेंस की मूल सीमाशुल्क निकासी प्रति सीमाशुल्क कार्यालय, दिल्ली में पंजीकृत कराई थी और इसलिये उसका आंशिक उपयोग किया गया था।

इस घोषणा की पुष्टि में आवेदक ने विधिवत् साक्ष्यांकित पत्र यह उल्लेख करते हुए दाखिल किया है कि लाइसेंस की मूल सीमाशुल्क निकासी प्रति खो गई है या अस्थायित्व हो गई है।

मैं संतुष्ट हूँ कि उक्त लाइसेंस की मूल सीमाशुल्क निकासी प्रति खो गई है और निदेश देता हूँ कि इसकी अनुलिपि प्रति 48416/-रुपये के लिये आवेदक को जारी की जाए। लाइसेंस की मूल सीमाशुल्क निकासी प्रति रद्द की जाती है।

[सं० बुक/95/ए एम-73/क्यू एल/सी एल ए]

के० एन० कपूर, उप-मुख्य नियंत्रक

नूतने संयुक्त मुख्य नियंत्रक

(Central Licensing Area)

ORDER

New Delhi, the 20th June, 1974

S.O. 1674.—M/s. The English Book Store, 17/L, Connaught Circus, New Delhi were granted an Established Importers licence No. P/E/0217739 dt. 28-9-1972 for Rs. 58292/- for import of Books/other than Fiction/Technical Magazine and Journals and News Magazines as per para-2 of Appendix 21 of the current Red Book. They have applied for the duplicate customs purpose copy of the said licence on the ground that the original has been lost or misplaced. It is, further stated by the firm that the original Custom Purposes Copy of the licence was registered with Customs House Delhi and hence has been utilised partly.

In support of this declaration, the applicant has filed an affidavit duly attested stating that the original Customs Purpose Copy of the licence has been lost or misplaced.

I am satisfied that the original Customs Purpose copy of the said licence has been lost and direct that a duplicate Customs Purpose copy for Rs. 48446/- issued to the applicant. The original Customs Purpose copy of the licence is cancelled.

[F. No. Books/95/AM-73/QL/CLA]
K. N. KAPOOR, Dy. Chief Controller
for Jt. Chief Controller

मुख्य नियंत्रक, आयात-निर्यात का कार्यालय

आदेश

नई दिल्ली, 23 मई, 1974

का० प्रा० 1675—सर्वश्री खनिज तथा धातु व्यापार निगम भारत लि० नई दिल्ली को स्वतन्त्र खातों से फेरो फास्फोरस का आयात करने के लिए 10,00,000 रु० (दस लाख रुपय मात्र) का एक आयात व लाइसेंस सं० जी/टी/1064300 दिनांक 26-9-73 स्वीकृत किया गया था। उन्होंने लाइसेंस की अनुलिपि प्रति (सीमा-शुल्क कार्य-संबंधी प्रति मात्र) के लिए इस आधार पर आवेदन किया है कि उनके द्वारा मूल लाइसेंस (सीमा-शुल्क कार्य-संबंधी प्रति मात्र) खो गया/अस्थानस्थ हो गया है। लाइसेंस-धारी द्वारा आगे यह बताया गया है कि लाइसेंस बिल्कुल उपयोग किए बिना खो गया/अस्थानस्थ हो गया था और उसे किसी भी सीमा-शुल्क प्राधिकारी के पास पंजीकृत नहीं कराया गया था।

2. अपने तर्क के समर्थन में आवेदक ने एक शपथ-पत्र दाखिल किया है। अधोहस्ताक्षरी संतुष्ट है कि मूल लाइसेंस सं० जी/टी/1064300 दिनांक 26-9-73 (सीमा-शुल्क कार्य-संबंधी मात्र) खो गया/अस्थानस्थ हो गया है और निदेश देना है कि उन्हें उक्त लाइसेंस की अनुलिपि (सीमा-शुल्क कार्य-संबंधी प्रति) प्रति जारी की जानी चाहिए। मूल लाइसेंस का (सीमा-शुल्क कार्य-संबंधी प्रति मात्र) पत्रद्वारा रद्द किया जाता है। लाइसेंस की अनुलिपि प्रति अलग से जारी की जा रही है।

[संख्या एम० एम० टी० सी०/142/73-74/आर०एम०सेन/940]

एम० के० उस्मानी,
उप-मुख्य नियंत्रक,
कुने मुख्य नियंत्रक

OFFICE OF THE CHIEF CONTROLLER OF IMPORTS
AND EXPORTS

ORDER

New Delhi, the 23rd May, 1974

S.O. 1675.—The Minerals and Metals Trading Corporation of India Ltd., New Delhi were granted an import licence No. G/T/1064300 dated 26-9-73 from free resources for the import of Ferro Phosphorous valued at Rs. 10,00,000/- (Rupees Ten Lakh only). They have requested for the issue of duplicate copy (Customs Copy only) of the licence on the ground that the original licence (custom copy only) has been lost/misplaced by them. It has been further reported by the licensee that the licence was lost/misplaced after the utilization of Rs. Nil and the licence was not registered with any custom authorities.

2 In support of their contention the applicant has filed an Affidavit. The undersigned is satisfied that the Original licence No. G/T/1064300 dated 26-9-73 (Custom copy only) has been lost/misplaced and directs that a duplicate copy (Custom copy) of the said licence should be issued to them. The Original licence (Custom copy only) is cancelled. Duplicate copy of the licence is being issued separately.

[F. No. MMT/C/142/73-74/RM CELJ /940]
S. K. USMANI, Dy. Chief Controller
For Chief Controller

आदेश

नई दिल्ली, 22 जून, 1974

का० प्रा० 1676—सर्वश्री बोह्रिंगर-नोल लि० बम्बई का रुपया भुगतान क्षेत्र में 7,10,000/- रुपये मूल्य के कच्चे भाग के आयात के लिए लाइसेंस सं० पी/डी/2195007 दिनांक 16-10-73 प्रदान किया गया था। उन्होंने इस कार्यालय से लाइसेंस की सीमा-शुल्क निकासी प्रति की अनुलिपि जारी कराने के लिए इस आधार पर आवेदन किया है कि लाइसेंस की मूल सीमा-शुल्क निकासी प्रति खो गई है। उन्होंने यह भी बताया है कि मूल सीमा-शुल्क निकासी प्रति 98,144 रुपये तक उपयोग करने के बाद और 6,11,856/- रुपये का उपयोग करना शेष रहने हुए खा गई है और यह कि लाइसेंस सीमा-शुल्क कार्यालय बम्बई में पंजीकृत कराया गया था।

अपने तर्क के समर्थन में आवेदक ने एक शपथ पत्र दाखिल किया है। अधोहस्ताक्षरी संतुष्ट है कि लाइसेंस सं० पी/डी/2195007 दिनांक 16-10-73 की मूल सीमा-शुल्क निकासी प्रति खो गई है और निदेश देना है कि इस की अनुलिपि प्रति उनका जारी की जानी चाहिए। लाइसेंस की मूल सीमा-शुल्क निकासी प्रति रद्द की जाती है।

[संख्या सीएच/बी० 68(1)/एएम०-74/आर०एम०-3/45 I]

एन० सी० कान्जिलाल,
उप-मुख्य नियंत्रक

ORDER

New Delhi, the 22nd June, 1974

S.O. 1676.—M/s. Boehringer-Knoll Limited Bombay were granted licence No. P/D/2195007 dated 16-10-1973 for import of raw materials valued at Rs. 7,10,000/- from R. P. A. They have requested this office for issue of duplicate Customs purposes copy of the licence on the ground that the original customs purposes copy of the licence has been lost. They have further stated that the original customs purposes copy has been lost after utilising it for Rs. 98,144 leaving a balance of Rs. 6,11,856 and that the licence had been registered with the Customs House Bombay.

In support of their contention, the applicant has filed an affidavit. The undersigned is satisfied that the original customs purposes copy of licence No. P/D/2195007 dated 16-10-1973 has been lost and directs that duplicate customs purposes copy of the said licence should be issued to them. The Original Customs purposes copy of licence is cancelled.

[No. CH/B 68(1)/A. M. 74/R. M. 3/454]

N. C. KANJILAL, Dy. Chief Controller

आदेश

का० प्रा० 1677—सर्वश्री बगाल फ्लोर मिल्स लि०, कलकत्ता को 37,328 रु० (सर्वास द्वारा तीन सा अट्ठारह रुपय मात्र) का एक आयात लाइसेंस सं० पी/मो/2064912/डी/सी/आर/46/एच/33-34 सी जी-3 दिनांक 23-1-1973 स्वीकृत किया गया था। उन्होंने उक्त लाइसेंस की अनुलिपि सीमा-शुल्क कार्य-संबंधी एक मूद्रा विनिमय नियंत्रण प्रतियों के लिए इस आधार पर आवेदन किया है कि मूल सीमा-शुल्क कार्य-संबंधी एवं मूद्रा विनिमय नियंत्रण प्रतियां खो गई/अस्थानस्थ हो गई है। आगे यह बताया

गया है कि मूल सीमा-शुल्क कार्य-संबंधी एच मुद्रा विनिमय नियंत्रण प्रतिया सीमा-शुल्क प्राधिकारी अथवा किसी भी बैंक के पास पंजीकृत नहीं कराई गई थी।

इस तर्क के समर्थन में आवेदक ने एक शपथ पत्र दाखिल किया है। तदनुसार मैं समुद्र है कि उपर्युक्त लाइसेंस की मूल सीमा-शुल्क कार्य-संबंधी एच मुद्रा विनिमय नियंत्रण प्रतिया खो गई हैं। इस लिये यथासमर्थित आयात (नियंत्रण) अधिनियम 1955 दिनांक 7-12-1955 की उप-धारा 9 (गो सी) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग करते हुए सर्वश्री बंगाल फ्लोर मिल्स कं० लि० कायकला का जारी किए गए उक्त लाइसेंस सं० पी/सी/2064912 दिनांक 23-1-73 की मूल सीमा-शुल्क कार्य-संबंधी एच मुद्रा विनिमय नियंत्रण प्रतिया एतद्द्वारा रद्द की जाती हैं।

लाइसेंस धारी को उक्त लाइसेंस की अनुलिपि सीमा-शुल्क कार्य-संबंधी एच मुद्रा विनिमय नियंत्रण प्रतिया अलग से जारी की जा रही हैं।

[No. 27/1/72-73/140]

एस० ए० शेषन, उप-मुख्य नियंत्रक

ORDER

S.O. 1677.—M/s. Bengal Flour Mills Co. Ltd., Calcutta were granted an import licence No. P/C/2064912/T/CR/46/II, 33-34/CG. III dated 23-1-1973 for Rs. 37328 (Rupees Thirty Seven Thousand Three Hundred and Twenty eight only). They have applied for the issue of a duplicate Customs Purposes and Exchange Control purpose copies of the said licence on the ground that the original Customs Purposes and Exchange Control purposes copies have been lost/misplaced. It is further stated that the original Customs Purposes and Exchange Control purposes copies were not registered with the Customs authorities or with any Bank.

2. In support of this contention, the applicant has filed an affidavit. I am accordingly satisfied that the original Customs Purposes and Exchange Control Purposes copies of the said licence have been lost. Therefore, in exercise of the powers conferred under Sub-clause 9(cc) of the Imports (Control) Order 1955 dated 7-12-1955 as amended, the said original Customs Purposes and Exchange Control Purposes copy of Licence No. P/C/2064912 dated 23-1-1973 issued to M/s. Bengal Flour Mills Co. Ltd., Calcutta is hereby cancelled.

3. A duplicate Customs Purposes and Exchange Control Purposes copy of the said licence is being issued separately to the licensee.

[No. 27/1/72-73/440.]

S. A. SESHAN, Dy. Chief Controller

आवेदन

नई दिल्ली, 20 जून, 1974

का०आ० 1678.—सर्वश्री गजरा गेयर्स, एल्व चैम्बर्स ग्रीन स्ट्रीट, फोर्ट, बम्बई की लाइसेंस अवधि अप्रैल, 1971-मार्च, 1972 के लिए, कच्चे माण/मघटकों के आयात के लिए 5,12,663/- रुपये (पांच लाख बारह हजार छह सौ त्रैसठ रुपये मात्र) का आयात लाइसेंस संख्या : पी/डी/137-6490/आर०/आईएन/46/एच/35-36 दिनांक 8-2-73 प्रदान किया गया था। फर्म ने उक्त लाइसेंस की अनुलिपि प्रतिया (सीमाशुल्क और साथ ही साथ मुद्रा विनिमय नियंत्रण दोनों के लिए) इस आधार पर आवेदन किया है कि जो मूल प्रति श्री बाबु भाई बी० शाह, 459/3/4, इम्पीरियल बिल्डिंग द्वितीय मंजिल, कालपुर पुलिस स्टेशन के सामने,

रिजिफ राउ, अहमदाबाद-1 को दिया गया था जो उनके लिए परामर्शक का कार्य कर रहे थे। उनका बार बार याद दिलाने पर भी उन्होंने उसे लाटाया नहीं। अतः उन्होंने लाइसेंस का आगे परिचालन करने में असमर्थ बना दिया है। लाइसेंस बम्बई सीमाशुल्क कार्यालय में पंजीकृत है और उसका आंशिक उपयोग 1,51,211/- रुपये (पैनालीस हजार एक सौ चौबीस रुपये मात्र) तक कर लिया गया है। उन्होंने आयात व्यापार नियंत्रण नियमों के अनुसार आवश्यक शपथ पत्र दाखिल किया है।

फर्म द्वारा दिए गए धीरे से अव्योहताक्षरी समुद्र है और निदेश देता है कि लाइसेंस की सीमाशुल्क तथा मुद्रा विनिमय नियंत्रण प्रतिया की अनुलिपि प्रतिया जारी की जाए। लाइसेंस की मूल सीमाशुल्क प्रयोजन तथा मुद्रा विनिमय नियंत्रण प्रयोजन प्रतिया को एतद्द्वारा रद्द किया जाता है।

[संख्या आटा जो 9(1)ए, एस-73(1)/आर एस-1]

ORDER

New Delhi, the 20th June, 1974

S.O. 1678.—M/s. Gajra Gears, Elve Chambers Green Street, Fort, Bombay were granted import licence No. P/D/1376490/R/IN/46/H/35-36 dated 8-2-1973 for Rs. 5,12,663 (Rupees Five Lakhs Twelve Thousand Six Hundred & Sixty Three only) for import of Components and Raw Materials for the licensing period April 1971—March 72. The firm have applied for grant of duplicates (both the Customs as well as Exchange Control) of the said licence on the ground that the originals which were given to Shri Babubhai B. Shah 459/3/9 Imperial Building, 2nd Floor, Opp. Kalupur Police Station, Relief Road, Ahmedabad-1 who was doing consultancy work for them, is not returning the same in spite of repeated reminders. Thus he has disabled them from operating the licence further. The licence has been registered with Bombay Customs House and has been partly utilised for Rs. 45,124/- (Rupees Forty Five Thousand One Hundred & Twenty Four only). They have furnished necessary affidavit as per J. T. C. Rules.

The under signed is satisfied with the statement given by the firm and directs that duplicate copies of the Customs and Exchange Control of the licence may be issued. The original Customs purposes and Exchange Control purposes copies of the licence are hereby cancelled.

[File No. Auto G. 9(1)/AM 72/RM-4]

आवेदन

का०आ० 1679.—सर्वश्री गजरा गेयर्स, एल्व चैम्बर्स ग्रीन स्ट्रीट, फोर्ट, बम्बई की लाइसेंस अवधि अप्रैल, 1971-मार्च 1972, के लिए कच्चे माण/मघटकों के आयात के लिए 1,48,742 रुपये (चार लाख अठानवे हजार मात्र) के लिए आयात लाइसेंस संख्या पी/डी/2191743/-आर०/आईएन/46/एच/35-36 दिनांक 13-2-73 प्रदान किया गया था। फर्म ने उक्त लाइसेंस की अनुलिपि प्रतिया (सीमाशुल्क और साथ ही साथ मुद्रा विनिमय नियंत्रण दोनों के लिए) इस आधार पर आवेदन किया है कि जो मूल प्रति श्री बाबु भाई बी० शाह, 459/3/4, इम्पीरियल बिल्डिंग द्वितीय मंजिल, कालपुर पुलिस स्टेशन के सामने, रिजिफ राउ, अहमदाबाद-1 को दिया गया था जो उनके लिए परामर्शक का कार्य कर रहे थे। उनका बार बार याद दिलाने पर भी उन्होंने उसे लाटाया नहीं। अतः उन्होंने उक्त लाइसेंस का आगे परिचालन करने में असमर्थ बना दिया है। लाइसेंस बम्बई में सीमाशुल्क कार्यालय में पंजीकृत है और उसका आंशिक उपयोग 2,59,569 रुपये (दो लाख उनसठ हजार पांच सौ अठानवे रुपये मात्र) तक प्रयोग कर लिया गया है। उन्होंने आयात व्यापार नियंत्रण के नियमों के अनुसार आवश्यक शपथ पत्र दाखिल किया है।

2. फर्म द्वारा दिए गए व्योरे से अधोहस्ताक्षरी संतुष्ट है और निदेश देता है कि लाइसेंस की सीमाशुल्क प्रयोजन तथा मुद्रा विनिमय नियंत्रण प्रयोजन प्रतियों की अनुलिपि प्रतियां जारी की जाएं। लाइसेंस की मूल सीमाशुल्क प्रयोजन तथा मुद्रा विनिमय नियंत्रण प्रतियां एतद्वारा रद्द की जाती हैं।

[सख्या आटो-जी० ७(2) ए एम-72/आर एम-4]

CANCELLATION ORDER

S.O. 1679.—M/s. Gajra Gears, Elve Chambers Green, Street, Fort, Bombay were granted import licence No. P/D/2191783/R/IN/46H/35/36, dated 13-2-73 for Rs. 498,742 (Rs. Four Lakhs Ninety Eight Thousand Seven Hundred and Forty Two only) for the import of Raw Materials/Components for the licensing period April 71—March 72. The firm have applied for grant of duplicates (both for the Customs as well as Exchange Control) copies of the said licence on the ground that the originals which were given to Shri Babubhai B. Shah, 4593/9, Imperial Building, 2nd Floor, Opp. Kalupur Police Station, Relief Road, Ahmedabad-1 who was doing consultancy work for them, is not returning the same inspite of repeated reminders. Thus he has disabled them from operating the licence further. The licence has been registered with Bombay Custom House and has been partly utilised for Rs. 2,59,569/- (Rs. Two Lakhs Fifty Nine Thousand and Five Hundred & Sixty Nine only). They have furnished necessary affidavit as per I. T. C. Rules.

2. The undersigned is satisfied with the statement given by the firm and directs that duplicate copies of the Customs Purposes and Exchange Control Purposes of the licence may be issued. The original Custom Purpose and Exchange Control Purpose copies of the licence are hereby cancelled.

[File No. Auto-G. 9(2)/AM 72/RM-4]

आदेश

क.आ1680—सर्वश्री गजरा गियर्स, एल्वे चैम्बरस ग्रीन स्ट्रीट, फोर्ट, बम्बई की लाइसेंस अधिग्रहीत, 1972-मार्च, 1973 के लिए कच्चे माल/सघटका के आयात के लिए 13,99,000/- रुपये (तेरह लाख, नवसहस्र हजार रु० मात्र) के लिए आयात लाइसेंस संख्या: पी/डी/2196658/आर/आईएन/50/एच/35-36, दिनांक 4-2-74 और 16,89,900/- (सोसाह लाख नवसहस्र हजार, नौ सौ, रुपये मात्र) के लिए पी/डी/2196671/आर/आईएन/50/एच/35-36 दिनांक 8-2-74 प्रदान किए गए थे। फर्म ने उक्त लाइसेंस की अनुलिपि प्रतियों (सीमाशुल्क और साथ ही साथ, मुद्रा विनिमय नियंत्रण दोनों के लिये इस आधार पर आवेदन किया है कि जो मूल प्रति श्री बाबू भाई बी० शाह, 4593/9, इम्पीरियल बिल्डिंग, द्वितीय मंजिल, पुलिस स्टेशन के सामने, ग्लोफ रोड, अहमदाबाद-1 को दिया गया था, —जो उनके लिए परामर्शक का काम कर रहे थे। उनको बार बार याद दिलाने पर भी उसे लौटाया नहीं। अतः उन्होंने उक्त लाइसेंस का आगे परिचालन करने में असमर्थ बना दिया है। लाइसेंस किसी सीमाशुल्क कार्यालय में पंजीकृत नहीं है और उसका विलकुल भी उपयोग नहीं किया गया है। उन्होंने आयात व्यापार नियंत्रण नियमा के अनुसार आवश्यक शपथपत्र दाखिल किया है।

फर्म द्वारा दिए गए व्योरे से अधोहस्ताक्षरी संतुष्ट है और निदेश देता है कि लाइसेंस की सीमाशुल्क तथा मुद्रा विनिमय नियंत्रण दोनों प्रतियां जारी की जाएं। मूल लाइसेंस (दोनों प्रतियां) एतद्वारा रद्द किए जाते हैं।

[सख्या आटो-जी० 3(6)/ए एम-73/आर एम-4]

CANCELLATION ORDER

S.O. 1680.—M/s. Gajra Gears, Elve Chambers Green Street, Fort, Bombay were granted import licences No. P/D/2196658/R/N/50/H/35-36 dated 4-2-1974 for Rs. 13,99,000/- (Rs. Thirteen Lakhs & Ninety Nine Thousand and only) and P/D/2196671/R/IN/50/H/35-36 dated 8-2-1974 for Rs. 16,89,900/- (Rs. Sixteen Lakhs Eighty Nine Thousand & Nine Hundred only) for the import of Raw Materials/Components for the licensing period April 72-March 73. The firm have applied for grant of duplicates (both for the Customs as well as Exchange Control) copies of the aforesaid licences on the ground that the originals which were given to Shri Babubhai B. Shah 4593/9 Imperial Building, 2nd Floor, Opp. Kalupur Police Station, Relief Road, Ahmedabad-1 who was doing consultancy work for them, is not returning the same inspite of repeated reminders. Thus he has disabled them from operating the licences further. The licences have not been registered with any custom house and have not been utilised at all. They have furnished necessary affidavits as per I. T. C. Rules.

The undersigned is satisfied with the statements given by the firm and directs that duplicate copies of the Customs and Exchange Control of both the licences may be issued. The original licences (both the copies) are hereby cancelled.

[File No. Auto-G. 3(6)/AM 73/RM-4]

आदेश

नई दिल्ली, 22 जून, 1974

क.आ1681—सर्वश्री गैब्रियल इन्डिया लि०, एस-304, माल बहादुर शास्त्री मार्ग, मुलुन्द, बम्बई-80 एन बी को 3,75,000 रुपये (तीन लाख पचहत्तर हजार रुपये मात्र) मूल्य का एक आयात लाइसेंस सं० पी/डी/1376491/आर/आई/ एन/16/एच/35-36 दिनांक 8-2-73 हमसे सलग्न सूची के अनुसार सघटका और कच्चे माल के आयात के लिए प्रदान किया गया था। उन्होंने लाइसेंस की सीमाशुल्क निकासी प्रति और मुद्रा विनिमय नियंत्रण प्रति दोनों की अनुलिपि प्रतियां जारी करने के लिए इस आधार पर आवेदन किया है कि लाइसेंस सीमाशुल्क कार्यालय बम्बई में पंजीकृत कराया था। और उसका उपयोग 1,21,567/- रुपये (एक लाख दसहस्र हजार पांच सौ सड़स रुपये मात्र) के लिए किया गया है। फर्म ने आयात व्यापार नियंत्रण नियमा के अन्तर्गत अधोहस्ताक्षरी शपथ दाखिल किया है।

2. अधोहस्ताक्षरी संतुष्ट है कि लाइसेंस की मूल सीमाशुल्क और मुद्रा विनिमय नियंत्रण प्रतियां उक्त मार्ग से खी गई हैं और निदेश देता है कि लाइसेंस (सीमाशुल्क निकासी और मुद्रा विनिमय नियंत्रण प्रतियां) की अनुलिपि जारी की जाएं। मूल लाइसेंस (सीमाशुल्क और मुद्रा विनिमय नियंत्रण प्रतियां) एतद्वारा रद्द किया जाता है।

आयात-निर्यात

[सख्या आटो-जी० 5(2)/ए एम-73/आर एम-4]

आई० बी० न्यूनकन, उप-मुख्य नियन्त्रक

CANCELLATION ORDER

New Delhi, the 22nd June, 1974

S.O. 1681.—M/s. Gabriel India Ltd., S-304, L. B. Shastri Marg, Mulund, Bombay-80 NB were granted import licence No. P/D/1376491/R/IN/46/H/35-36 dt. 8-2-1973 for Rs. 3,75,000/- (Rupees three lakhs seven five thousand only) for the import of Components and Raw Materials as per list attached thereto under the IDA Credit. They have requested for grant of duplicates for both the Customs Purposes and Exchange Control Copies of the licence on the ground that the licence was registered with the Bombay Customs and has been utilised for Rs. 1,21,567/- (Rupees one

lakh twenty one thousand five hundred and sixty seven only). The firm have furnished necessary affidavit as required under the I.T.C. Rules.

2. The undersigned is satisfied that the original of Customs Purposes and Exchange Control Purposes copies of the licence has been lost in postal transit and directs that duplicate of the licence (Customs and Exchange Control Purposes) may be issued. The original licence (Customs and Exchange Control Purposes copies) is hereby cancelled.

[File No. Auto-G/5(2)/AM-73/RM-4]

I. V. CHUNKATH, Dy. Chief Controller

आवेश

नई दिल्ली, 24 जून, 1974

का.आ. 1682.—सर्वश्री एस्ट्रेला बैटरीज लिमिटेड, प्लॉट नं० 1, धारावी रोड, बम्बई-19 को 354200 रुपये मूल्य का एक आयात लाइसेंस सख्या पी/डी/2192197/सी/एक्स एक्स/46/एच/35-36/बैटरी, दिनांक 31-3-73 इसमें सलगन सूची के अनुसार कच्चे माल/सघटकों के आयात के लिए प्रदान किया गया था।

2 उन्होंने उपर्युक्त लाइसेंस की सीमाशुल्क निकासी प्रति की अनुलिपि प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि मूल सीमाशुल्क निकासी प्रति उनसे खो गई है या अस्थानस्थ हो गई है। लाइसेंस धारी द्वारा यह भी सूचना दी गई है कि लाइसेंस पर 48784 रुपये का उपयोग करना बाकी था। लाइसेंस सीमाशुल्क प्राधिकारी, सीमाशुल्क कार्यालय, बम्बई में पंजीकृत कराया था।

3 अपने तर्क के समर्थन में आवेदक ने एक शपथपत्र दाखिल किया है। अधोहस्ताक्षरी संतुष्ट है कि आयात लाइसेंस सख्या पी/डी/219197/सी/एक्स/एक्स/46/एच 35-36 बैटरी, दिनांक 31-3-1973 की मूल सीमाशुल्क निकासी प्रति खो गई है या अस्थानस्थ हो गई है और निवेश देने है कि इसकी अनुलिपि प्रति आवेदक का जारी की जानी चाहिए। मूल सीमाशुल्क निकासी प्रति रद्द की जाती है।

4. लाइसेंस की सीमाशुल्क निकासी प्रति की अनुलिपि अलग से जारी की जा रही है।

[संख्या बैटरी/3(5)/72-73/आर एम-2]

ORDER

New Delhi, the 22nd June, 1974

S.O. 1682.—M/s. Estrella Batteries Limited, Plot No. 1, Dharavi Road, Bombay-19, were granted Import Licence No. P/D/2192197/C/XX/46/H/35-36/Battery dt. 31-3-1973 for import of Raw Materials/Components as per list attached to it valued at Rs. 354200/- only.

2. They have requested for the issue of duplicate Customs Purposes Copy of the above said licence on the ground that the original Customs Purposes Copy has been lost or misplaced by them. It has been further reported by the licensee that the licence had an unutilised balance of Rs. 48784 only. The licence was registered with Customs authorities, Customs House, Bombay.

3. In support of their contention, the applicant have filed an affidavit. The undersigned is satisfied that the original Customs Purposes Copy of Import Licence No. P/D/2192197/C/XX/dt. 31-3-1973 has been lost or misplaced and directs that a Duplicate Customs Purposes Copy of the said licence should be issued to the applicant. The original Customs Purposes Copy is cancelled.

4. The Duplicate Customs Purposes Copy of the licence is being issued separately.

[No. Battery/3(5)/72-73/RM. II]

आवेश

का.आ. 1683.—सर्वश्री वेस्टिंग हाउस गेक्सबाई एंड फार्मर लि., कलकत्ता का लाइसेंस में यथा संकेतित कच्चे माल सघटकों के आयात के लिए 60000 रु० का एक आयात लाइसेंस सं० पी/डी/2178073 दिनांक 5-3-70 स्वीकृत किया गया था।

2 उन्होंने उक्त लाइसेंस की अनुलिपि मुद्रा विनिमय नियंत्रण प्रयोजन प्रति के लिए इस आधार पर आवेदन किया है कि मूल मुद्रा विनिमय नियंत्रण प्रयोजन प्रति खो गई अथवा अस्थानस्थ हो गई है। लाइसेंसधारी द्वारा आगे यह बताया गया है कि प्रेषण के लिए लाइसेंस में णेए अप्रयुक्त 60000 रुपये थे। लाइसेंस कलकत्ता सीमाशुल्क कार्यालय, कलकत्ता में पंजीकृत कराया गया था।

3 अपने तर्क के समर्थन में आवेदक ने एक शपथ पत्र दाखिल किया है। अधोहस्ताक्षरी संतुष्ट है कि आयात लाइसेंस सं० पी/डी/2178073 दिनांक 5-3-70 की मूल मुद्रा विनिमय नियंत्रण प्रयोजन प्रति खो गई अथवा अस्थानस्थ हो गई और निवेश देता है कि आवेदक का उक्त लाइसेंस की अनुलिपि मुद्रा विनिमय नियंत्रण प्रयोजन प्रति जारी की जानी चाहिए। लाइसेंस की मूल मुद्रा विनिमय नियंत्रण प्रयोजन प्रति रद्द की जाती है।

4 लाइसेंस की अनुलिपि मुद्रा विनिमय नियंत्रण प्रयोजन प्रति अलग से जारी की जा रही है।

[संख्या इलेक्ट्रिक/17/2/69-70/आर एम-2]

ORDER

S.O. 1683.—M/s. Westing House Saxby & Farmer Ltd., Calcutta, were granted Import Licence No. P/D/2178073 dt. 5-3-1970 for import of Raw Materials/Components as mentioned in the licence valued at Rs. 60,000.

2. They have requested for the issue of duplicate Exchange Purposes Copy of the above said licence on the ground that the original Exchange Purposes has been lost or misplaced by them. It has been further reported by the licensee that the licence had an unutilised balance of Rs. 60,000 for remittance. The licence was registered with Calcutta Customs House, Calcutta.

3. In support of their contention, the applicant have filed an affidavit. The undersigned is satisfied that the original Exchange Purposes Copy of Import Licence No. P/D/2178073 dt. 5-3-1970 has been lost or misplaced and directs that a Duplicate Exchange Purposes Copy of the said licence should be issued to the applicant. The original exchange Purpose Copy is cancelled.

4. The Duplicate Exchange Purposes Copy of the licence is being issued separately.

[N. Electric/17/2/69-70/RM. II]

आवेश

का.आ. 1684.—सर्वश्री एस्ट्रेला बैटरीज लिमिटेड, धारावी रोड, मातंगा बम्बई-19 को 383670/- रुपये मूल्य का एक आयात लाइसेंस सख्या पी/डी/1376353/सी/एक्स एक्स/46/एच/35-36/ बैटरी, दिनांक 23-1-73 इसमें सलगन सूची के अनुसार कच्चे माल-सघटकों के आयात के लिए प्रदान किया गया था।

2. उन्होंने उपर्युक्त लाइसेंस की सीमाशुल्क निकासी प्रति की अनुलिपि जारी करने के लिए इस आधार पर आवेदन किया है कि मूल सीमाशुल्क निकासी प्रति उन से खो गई है या अस्थानस्थ हो गई है। लाइसेंसधारी द्वारा यह भी सूचना दी गई है कि लाइसेंस पर 75953 रुपये

मान का उपयोग करना बाकी था। लाइसेंस सीमाशुल्क प्राधिकारी
गोपाल-र राणीय, सन्धि ग गजोद्वारा तलाश १॥

3. अपने तर्कों के समर्थन में आवेदकों ने एक शपथपत्र दाखिल किया है। अवाहस्ताक्षरी गंठ है कि याता लाइसेंस मर्यादा पी/डी/176353/सी/एनएसएम, दिनांक 23-1-73 की मूल सीमाशुल्क निकासी प्रति या गई है या अस्थानस्थ हो गई है और निदेश देने है कि इसकी अनुलिपि प्रति आवेदक को जारी की जानी चाहिए। मूल सीमा शर्त निकासी प्रति रद्द की जाती है।

4. लाइसेंस की सीमाशुल्क निकासी प्रति की अनुलिपि अलग से जारी की जा रही है।

[मर्यादा बैटरी/3(4)/72-73/आर एम-2]

आई० सी० चतुर्क, उप-मुख्य नियन्त्रक
कुल मुख्य नियन्त्रक

ORDER

S.O. 1684.—M/s. Estrela Batteries Limited, Dharavi Road, Matunga, Bombay-19, were granted Import Licence No. P/D/1376353/C/XX/46/35-36/Battery dt. 23-1-1973 for import of Raw Materials/Components as per list attached to it valued at Rs. 383670 only.

2. They have requested for the issue of duplicate Customs Purposes Copy of the above said licence on the ground that the original Customs Purposes Copy has been lost or misplaced by them. It has been further reported by the licensee that the licence had an unutilized balance of Rs. 75953 only. The licence was registered with Customs authorities, Customs House, Bombay.

3. In support of their contention, the applicants have filed an affidavit. The undersigned is satisfied that the original Customs Purposes Copy of Import Licence No. P/D/1376353/C, XX, dt. 23-1-1973 has been lost or misplaced and directs that a Duplicate Customs Purposes Copy of the said licence should be issued to the applicant. The original Customs Purposes Copy is cancelled.

4. The Duplicate Customs Purposes Copy of the licence is being issued separately.

[No. Battery/3(4)/72-73/RM. II]

I. V. CHUNKATH, Dy. Chief Controller
for Chief Controller

(आन्तरिक व्यापार विभाग)

नई दिल्ली, 21 जून, 1974

का०आ० 1685.—केन्द्रीय सरकार, अग्रिम संविदा (विनियमन) अधिनियम, 1952 (1952 का 74) की धारा 5 के अधीन वि विधानी ट्रेडिंग एम्प्लोयमेंट लि., विधानी द्वारा मान्यता के लिए दिए गए आवेदन पर बायदा बाजार आयोग में परामर्श करके, विचार कर लेने पर, और अपना यह समाधान दे जाने पर कि ऐसा करना व्यापार के हित में और लाभ हित में भी होगा, उक्त अधिनियम की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए उक्त एम्प्लोयमेंट लि. का गठ की अग्रिम संविदाओं की वास्तव 19 मई 1971 से 15 मई 1975 तक (जिसमें ये दोनों दिन भी सम्मिलित हैं) की एक वर्ष की कालावधि के लिए मान्यता प्रदान करती है।

2. एतद्वारा प्रदत्त मान्यता इस शर्त के अध्वधीन है कि उक्त एम्प्लोयमेंट लि. बायदा बाजार आयोग द्वारा समय समय पर दिए जाने वाले निदेशों का अनुपालन करेगा।

[का० ग० 12(5)—आई० टी०/74]

यु० एम० राणा, मुख्य निदेशक

(DEPARTMENT OF INTERNAL TRADE)

New Delhi, the 24th June, 1974

S.O. 1685.—The Central Government, in consultation with the Forward Markets Commission, having considered the application for renewal of recognition made under Section 5 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952) by the Bhiwani Traders' Association Limited, Bhiwani, and being satisfied that it would be in the interest of the trade and also in the public interest to do so, hereby grants, in exercise of the powers conferred by Section 6 of the said Act, recognition to the said Association for a further period of one year from the 19th May, 1974 to the 18th May, 1975 (both days inclusive) in respect of forward contracts in gur.

2. The recognition hereby granted is subject to the condition that the said Association shall comply with such directions as may from time to time be given by the Forward Markets Commission.

[F. No. 12(5)-IT/74]

U. S. RANA, Joint Director.

औद्योगिक विकास मंत्रालय

आदेश

नई दिल्ली, 10 मई, 1974

का०आ० 1686.—यन श्री टी० एन० भट्ट, निम्न श्रेणी निपिक, लघु उद्योग सेवा मन्थान, जम्मू (जम्मू और कश्मीर), के विरुद्ध केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) नियम, 1965 के अधीन विभागीय कार्यवाहियों, लखन है।

और यन. निदेशक, लघु उद्योग सेवा मन्थान, जम्मू, जो उद्योग और पुनर्गठन की अधिसूचना नं० फा० 4-1-64—संकेत, तारीख 27-8-64 (का०आ० 3331 के अधीन जारी की गई) द्वारा यथा सशोधित भारत सरकार के अनुपूर्व आदेश और उपरोक्त उद्योग मन्थान की अधिसूचना नं० का० नि० आ० 631, तारीख 28-2-57 की अनुसूची के अनुसार अनुशासनिक प्राधिकारी है, इस मामले में, परिवर्तनी है।

अन. प्रब. गठानि, केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) नियम, 1965 के नियम 12 के उपनियम (2) के खण्ड (ख) और नियम 24 के उपनियम (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, आदेश देने है कि लघु उद्योग के कार्यालय के विकास आयुक्त, श्री बी० एम० राव, निदेशक (श्रेणी 1), केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) नियम, 1965 के नियम II में उल्लिखित सभी शक्तियों का अधिरोपित करने के लिए अनुशासनिक प्राधिकारी के रूप में कार्य करेंगे और विकास आयुक्त, लघु उद्योग, वर्तमान मामले में, अपील प्राधिकारी के रूप में कार्य करेंगे।

[सं० 14/15/74—संकेत]

एम० आर० कपूर, उप-सचिव

MINISTRY OF INDUSTRIAL DEVELOPMENT

ORDER

New Delhi, the 10th May, 1974

S.O. 1686.—Whereas departmental proceedings under Central Civil Services (Classification, Control and Appeal) Rules, 1965 are pending against Shri D. N. Bhat I.D.C., Small Industries Service Institute, Jammu (J & K).

And whereas the Director, Small Industries Service Institute, Jammu, who is the disciplinary authority according to the schedule to the Notification of the Government of India, in the late Ministry of Commerce and Consumer Industries No. SRO 631, dated 28-2-1957, as amended by Ministry of Industry & Supply Notification No. F. 4/1/64-Vig. dated 27-8-1964 (issued under S.O. 3331), is the complainant, in the case.

Now, therefore, the President in exercise of the powers conferred by clause (b) of sub-rule (2) of rule 12 and sub-rule (1) of rule 24 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965 hereby orders that Shri B. S. Rao, Director (Grade I), in the office of the Development Commissioner, Small Scale Industries will act as the disciplinary authority for imposing all the penalties mentioned in rule 11 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965 and Development Commissioner, Small Scale Industries, will act as the Appellate Authority in the instant case.

[No. 14/15/74-Vig.]

S. R. KAPUR, Dy. Secy.

आदेश

नई दिल्ली, 13 जून, 1974

कां०आ० 1687.—आई०डी०आर०ए० 6/4/74—केन्द्रीय सरकार, विकास परिषद् (प्रक्रियात्मक) नियम, 1952 के नियम 3, 4 और 5 के माग पठित उद्योग (विकास और विनियमन) अधिनियम, 1951 (1951 का 65) कि धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस आदेश की तारीख से 2 वर्ष की अवधि के लिए निम्नलिखित व्यक्तियों को विकास परिषद् चीनी उद्योग के सदस्यों के रूप में नियुक्त करती है, अर्थात्:—

चीनी के लिए विकास परिषद

1. अध्यक्ष:

सचिव, कृषि मंत्रालय (खाद्य विभाग), नई दिल्ली (पदेन)।

2. सदस्य:

संयुक्त सचिव, चीनी भारमाधक, कृषि मंत्रालय (खाद्य विभाग) नई दिल्ली (पदेन)।

3. मुख्य निदेशक, चीनी और वनस्पति निदेशालय, कृषि मंत्रालय (खाद्य विभाग), नई दिल्ली (पदेन)।

4. निदेशक, राष्ट्रीय चीनी संस्थान, पोस्ट बाक्स नं० 16, कानपुर (पदेन)।

5. निदेशक, भारतीय ईख अनुसंधान संस्थान, लखनऊ (पदेन)।

6. श्री बी० पी० कृष्णास्वामी, निजी सचिव, मंत्री, औद्योगिक विकास और निदेशक, औद्योगिक विकास मंत्रालय नई दिल्ली।

7. श्री एल० के० नागर, ईख एख चीनी आयुक्त, उत्तर प्रदेश, लखनऊ।

8. ईख आयुक्त, बिहार, पटना (बिहार) (पदेन)।

9. चीनी निदेशक तथा संयुक्त सचिव, तमिल नाडु सरकार, उद्योग विभाग, मद्रास (पदेन)।

10. श्री के० पदमानाभड्या, चीनी निदेशक तथा अपर रजिस्ट्रार, सहकारी सोसाइटी, महाराष्ट्र राज्य, पूना-1।

11. श्री पी० बी० आर० के० प्रसाद, आई० ए० एस० निदेशक चीनी, आन्ध्र प्रदेश, कार्यालय, रजिस्ट्रार, सहकारी सोसाइटी, हैदराबाद।

39 GI/74—3

12. डा० बी० एम० अम्ला, वैज्ञानिक भारमाधक, केन्द्रीय खाद्य प्रौद्योगिकीय अनुसंधान संस्थान, मैसूर।

13. ज्योतिषी धर, ज्येष्ठ कार्यपालक निदेशक, दिल्ली कला एण्ड जनरल मिल्स कम्पनी लिमिटेड, (चीनी खण्ड), संस्कृति भवन, झंडेवाला, नई दिल्ली-55।

14. श्री हरचन्द्र गिह, अध्यक्ष, भारतीय ईख विकास परिषद, निवासी 331, माडल टाऊन, जालन्धर।

15. श्री प्रदीप नाराय, अध्यक्ष, इण्डियन सुगर मिल्स एसोसिएशन, मार्फत मेमर्स असोसिएशन सुगर मिल्स कम्पनी लिमिटेड, 101/102, आकाश दीप, 26 ए आराखबा रोड, नई दिल्ली।

16. श्री पी० मल्लार्थ पिल्लै, मेमर्स अरुणा सुगर लिमिटेड चेक्कू हाऊस 11 ए/1, माऊंट रोड, मद्रास-2।

17. श्री डी० पी० पुरी, एम० पी० (समद सदस्य) मेमर्स संस्थानी सुगर मिल्स, बी०-61, ग्रेटर कैलाश-1 नई दिल्ली।

18. श्री आर० एल० शर्मा, अध्यक्ष, नेशनल फेडरेशन आफ कोओपरेटिव सुगर फैक्ट्रीज लिमिटेड, मार्फत "अलोका" डाकघर पीलीभीत (उत्तर प्रदेश)।

19. श्री शंकर राव कोल्हो, अध्यक्ष, महाराष्ट्र राज्य सहकारी शर्करा कारखाना संघ लिमिटेड, मार्फत दि सजीवनी (तासकी) सहकारी शर्करा कारखाना लिमिटेड, सहजानन्द नगर, डाकघर शिवापुर पिन : 423603, तालुका कोणरगाव, जिला अहमदनगर (महाराष्ट्र)।

20. श्री आर० पी० खोमला अध्यक्ष, तथा प्रबन्ध निदेशक, उत्तर प्रदेश राज्य चीनी निगम लिमिटेड, 26 बी, अणोक मार्ग, लखनऊ।

21. श्री जे० सी० दीक्षित, समद सदस्य, जगदीश भवन, मन्मथ गंज लखनऊ/फिरोजशाह रोड, नई दिल्ली-110001।

22. श्री गंगाधर जे० ओगावी, महा सचिव, शर्करा कामगार सभा, डाकघर श्रीरामपुर, जिला अहमदनगर (महाराष्ट्र)।

23. श्री सीता राम केसरी, सदस्य, राज्य सभा, ए बी 2, पंचारा रोड, नई दिल्ली/बानापुर छावनी, पटना (बिहार)।

24. श्री सतपाल कपूर, सदस्य, लोक सभा, 180 नार्थ एवेन्यू, नई दिल्ली/जंद गली, पटियाला (पंजाब)।

25. श्री एम० अतिकी ताहडू, सदस्य, लोक सभा, 7 फिरोजशाह रोड, नई दिल्ली/गुविबाडा, कृष्णा जिला, (आन्ध्र प्रदेश)।

26. श्री मेहदी अली, चीनी निदेशक और अपर रजिस्ट्रार, सहकारी समिति नं० 9, कुनिगम रोड, बंगलौर-1 बी।

27. श्री एम० एस० नागरथ, महासक महाप्रबन्धक, भारतीय औद्योगिक विज्ञान निगम, बंधोदा ईक बिल्डिंग, 16 पार्सिमेट स्ट्रीट, नई दिल्ली।

2. केन्द्रीय सरकार विकास परिषद् (प्रक्रियात्मक) नियम, 1952 के नियम 2 के खण्ड (ग) के अनुसरण से श्री ए० के० खोमला उप निदेशक (चीनी तकनीकी), चीनी और वनस्पति निदेशालय (खाद्य विभाग) को उक्त विकास परिषद के सचिव, के कृत्य करने के लिए नियुक्त करती है।

[सं० 4/8/74-सी बी एन]

ORDER

New Delhi, the 13th June, 1974

S.O. 1687/IDRA/6/4/74.—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), read with rules 3, 4, and 4 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints, for a period of two years with effect from the date of this Order, the following persons to be members of the Development Council for the Sugar Industry namely —

Development Council for Sugar

Chairman

- 1 The Secretary, Ministry of Agriculture (Department of Food), New Delhi (Ex officio)

Members

- 2 The Joint Secretary Incharge of Sugar, Ministry of Agriculture (Department of Food), New Delhi (Ex officio)
- 3 The Chief Director, Directorate of Sugar and Vanaspati, Ministry of Agriculture (Department of Food) New Delhi (Ex officio)
- 4 The Director, National Sugar Institute Post Box No 16, Kanpur (Ex officio)
- 5 The Director, Indian Institute of Sugarcane Research, Lucknow (Ex officio)
- 6 Shri P B Krishnaswami, Private Secretary to the Minister for Industrial Development and Director in the Ministry of Industrial Development, New Delhi
- 7 Shri L K. Nagai, Cane-cum Sugar Commissioner, U P Lucknow
- 8 The Cane Commissioner, Bihar, Patna (Bihar) (Ex-officio)
- 9 Director of Sugar and Joint Secretary to the Government of Tamil Nadu, Industries Department Madras (Ex officio)
- 10 Shri K. Padmanabhaiah, Director of Sugar and Additional Registrar, Cooperative Societies Maharashtra State, Poona I
- 11 Shri P V R K Prasad, I A S, Director of Sugar Andhra Pradesh, Office of Registrar of Cooperative Societies, Hyderabad
- 12 Dr B L Amla Scientist in charge, Central Food Technological Research Institute, Mysore
- 13 Lala Bansi Dhar, Senior Executive Director, Delhi Cloth and General Mills Co Ltd, (Sugar Division), Sanskriti Bhavan, Jhandewalan, New Delhi-55
- 14 Shri Harbans Singh, Chairman, Indian Sugarcane Development Council, R/O 331, Model Town, Jullundur
- 15 Shri Pradeep Narang, President, Indian Sugar Mills Association C/o M/s Basti Sugar Mills Company Limited 101/102, Akash Deep, 26A Barakhamba Road, New Delhi
- 16 Shri P Maruthai Pillai, M/s Aruna Sugars Limited 'Mecco House 11A/1, Mount Road, Madras-2
- 17 Shri D D Puri, M.P., M/s Saraswati Sugar Mills B 61 Greater Kailash-I, New Delhi
- 18 Shri R I Shukla, President, National Federation of Cooperative Sugar Factories Ltd, C/o "Alok P O Pilibhit (UP)

19 Shri Shankar Rao Kolhe, Chairman, Maharashtra Rajya Sahakar Sakhar Karkhana Sangh Limited, C/o The Sanjivani (Talki) Sahakar Sakhar Karkhana Limited Shajanand Nagar P O Shiganapur, Pin 423603 Taluka, Kopergaon, District, Ahmednagar (Maharashtra)

20 Shri R P Khosla, Chairman and Managing Director, Uttar Pradesh State Sugar Corporation Limited, 26 B, Ashok Marg, Lucknow

21 Shri J C Dixit, M P, Jagdish Bhavan, Maqbool Gunj, Lucknow/Ferozeshah Road, New Delhi-110001

22 Shri Ganga Dhai J Ogale General Secretary, Sakhar Kamgar Sabha P O Sreerampur, District Ahmednagar (Maharashtra)

23 Shri Sita Ram Kesri Member of Rajya Sabha, AB 2, Pandra Road, New Delhi/Dinapore Cantonment, Patna (Bihar)

24 Shri Sat Pal Kapur, Member of Lok Sabha, 180 North Avenue, New Delhi/Jand Gali, Patiala (Punjab)

25 Shri M Anikneedu, Member Lok Sabha, 7, Feroz Shah Road, New Delhi/Guvivada, Krishna District (Andhra Pradesh)

26 Shri Mehdi Ali Director of Sugar and Additional Registrar of Cooperative Societies, No 8 Cunningham Road, Bangalore 1B

27 Shri M S Nagratha, Assistant General Manager, Industrial Finance Corporation of India, Bank of Baroda Building, 16 Parliament Street, New Delhi

2 In pursuance of clause (c) of the rule 2 of the Development Council (Procedural) Rules, 1952, the Central Government hereby appoints Shri A K Bose, Deputy Director (Sugar Technical), Directorate of Sugar and Vanaspati (Department of Food) to carry on the functions of Secretary to the said Development Council

[No 8/4/74 C D N]

नई दिल्ली 27 जून, 1974

का० आ० 1688/आई० डी० आर० ए०/6/6/74 — विकास परिषद् (प्रक्रिया संबंधी) नियम, 1952 के नियम 3, 4 और 5 के माध्यम से उद्योग (विकास और विनियमन) अधिनियम 1951 (1951 का 65) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, निम्न लिखित व्यक्तियों को ऊनी धाग, मोश अनियान इत्यादि, कालीन और मोटे ऊनी वस्त्रों सहित उन से बनने वाले वस्त्रों के विनिर्माण और उत्पादन से जुड़े हुए अनुसूचित उद्योगों की विकास परिषद् के सदस्यों के रूप में इस आदेश की तारीख से दो वर्ष की अवधि के लिये नियुक्ति करती है, अर्थात् —

ऊनी धागे सहित ऊन और ऊनी उद्योगों की विकास परिषद्

- | | |
|---------------------------------------|---------|
| 1 श्री जी० के० मिश्रानिया | अध्यक्ष |
| चर्च गेट चेम्बरस, आठवीं मंजिल, | |
| 5 न्यू मेरीन लाइन्स मुम्बई-400020 | |
| 2 अध्यक्ष, इंडियन वूल्न मिश्र फेडरेशन | सदस्य |
| चर्च गेट, चेम्बरस, आठवीं मंजिल, | |
| 5 न्यू मेरीन लाइन्स मुम्बई-400020 | |

3	अध्यक्ष ऊन और ऊनी वस्त्र निर्माण संवर्धन परिषद्, चर्चगेट चेम्बर्स, आठवीं मंजिल, 5, न्यू मरीन लाइन्स, मुम्बई-400020	सदस्य	19	विकास आयुक्त (शेड) कृषि मंत्रालय, नई दिल्ली ।	सदस्य
4	अध्यक्ष अमृतसर स्माल स्कल वून सैन्ट्रलैज्जर्स एसोसिएशन, डी माल, अमृतसर	सदस्य	20	श्री एम० सत्यवान, अपर मलाहकार (आई एच एम), योजना आयोग, नई दिल्ली ।	सदस्य
5	अध्यक्ष, इंडियन शाडी मिल्स एसोसिएशन, गांधीनारायण हाउस, डा० डी० एन० रोड, मुम्बई-1	सदस्य	21	महामन्त्रि, इंडियन नेशनल ट्रेड यूनियन काँग्रेस पञ्जाब शाखा ५52/2, गेट खजाना, अमृतसर ।	सदस्य
6	वस्त्र आयुक्त, पास्ट बैग न० 11500, मुम्बई 400020,	सदस्य	22	श्री प्रदुमान सिंह, महामन्त्रि, टेक्सटाइल मजदूर एकाई यूनियन, पुतलीधर, अमृतसर ।	सदस्य
7	श्री पी० एन० माधुर, अध्यक्ष ब्रिटिश इंडिया कार्पोरेशन, सदरलैंड हाउस, पास्ट बाक्स 77 कानपुर	सदस्य	23	निदेशक, उद्योग और वाणिज्य विभाग जम्मू-कश्मीर सरकार श्रीनगर ।	सदस्य
8	ब्रिगेडियर सुपन्ध सिंह, डी० आई० जी० एम० रक्षा मंत्रालय नई दिल्ली ।	सदस्य	24	संयुक्त मन्त्रि भारताधिक ऊनी वस्त्र उद्योग, वाणिज्य मंत्रालय, नई दिल्ली ।	सदस्य
9	पूर्ति और निपटान महानिदेशक, पूर्ति और निपटान महा- निदेशालय, पालियामेट स्ट्राट, नई दिल्ली ।	सदस्य	25	श्री एम० महाश्व, विशेष कार्य अधिकारी (ऊन), वाणिज्य मंत्रालय, नई दिल्ली ।	परिषद् के सचिव के रूप में कार्य करेगा ।
10	विकास आयुक्त, अखिल भारतीय हस्तशिल्प बोर्ड, पश्चिमी खण्ड, रामकृष्ण पुरम नई दिल्ली ।	सदस्य	[फा० सं० ५(1)/69-टैक्स(ई०)/टैक्स(6)]		
11	निदेशक शेड, पालन, राजस्थान सरकार, जयपुर ।	सदस्य	New Delhi, the 27th June, 1974		
12	निदेशक, ऊन का व्यवहार करने वाला भारतीय राज्य व्यापार निगम लिमिटेड, चन्द्रलाक, 36, जनपथ, नई दिल्ली ।	सदस्य	S.O. 1688/IDRA 6/74.—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act 1951 (65 of 1951), read with rules 3, 4 and 5 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints, for a period of two years with effect from the date of this Order, the following persons to be members of the Development Council for the Scheduled Industries engaged in the manufacture and production of textiles made of wool including woollen yarn, hosiery, carpets and duvettes namely —		
13	अध्यक्ष वूल रिमर्स एसोसिएशन, चर्चगेट चेम्बर्स आठवीं मंजिल, 5, न्यू मरीन लाइन्स, मुम्बई-400020	सदस्य	Development Council for wool and woollen Industries including woollen yarn		
14	निदेशक, वूल रिमर्स एसोसिएशन, चर्चगेट चेम्बर्स, आठवीं मंजिल, 5, न्यू मरीन लाइन्स, मुम्बई 400020	सदस्य	1	Shri G. K. Singhania, Churchgate Chambers 7th Floor, 5, New Marine Lines, Bombay 400020	Chairman
15	श्री प्रताप सिंह, समद सदस्य (लाक सभा), 39, नार्थ एवेन्यू, नई दिल्ली ।	सदस्य	2	Chairman, Indian Woollen Mills' Federation, Churchgate Chambers, 7th Floor, 5, New Marine Lines, Bombay-400020	Member
16	श्री सीयद हुसैन, समद सदस्य (राज्य सभा), 38, अशाक रोड, नई दिल्ली ।	सदस्य	3	Chairman, Wool & Woollens Export Promotion Council, Churchgate Chambers, 7th Floor, 5, New Marine Lines, Bombay-400020	Member
17	अध्यक्ष स्माल स्कल वून सैन्ट्रलैज्जर्स एसोसिएशन, नुधियाना ।	सदस्य	4	Chairman, Amritsar Small Scale Woollen Manufacturers Association, The Mall, Amritsar	Member
18	श्री ज० सी० ग्रेटरी निदेशक औद्योगिक विकास मंत्रालय, नई दिल्ली ।	सदस्य			

5. Chairman, Indian Shoddy Mills Association, Sadhana Rayon House, Dr. D. N. Road, Bombay-1.	Member	17. President, Small Scale Woollen Mills Federation, Ludhiana.	Member
6. Textile Commissioner, Post Bag No. 11500, Bombay-400020.	Member	18. Shri J. C. Jetli, Director, Ministry of Industrial Development, New Delhi.	Member
7. Shri P. N. Mathur, Chairman, British India Corporation, Sutherland House, Post Box 77, Kanpur.	Member	19. Development Commissioner (Sheep), Ministry of Agriculture, New Delhi.	Member
8. Brig. Bhupinder Singh, D.I.G.S., Ministry of Defence, New Delhi.	Member	20. Shri M. Satyapal, Additional Adviser (I&M), Planning Commission, New Delhi.	Member
9. Director General of Supply & Disposal, Directorate General of Supply & Disposal Parliament Street, New Delhi.	Member	21. General Secretary, Indian National Trade Union Congress, Punjab Branch, 852/2, Gate Khazana, Amritsar.	Member
10. Development Commissioner All India Handicrafts Board, West Block, H. K. Puram, New Delhi.	Member	22. Shri Parduman Singh, General Secretary, Textile Mazdoor Ekta Union, Putlighar, Amritsar.	Member
11. Director of Sheep Husbandry, Government of Rajasthan, Jaipur	Member	23. Director, Industries and Commerce Deptt., Government of Jammu and Kashmir, Srinagar.	Member
12. Director, dealing with wool, State Trading Corporation of India Ltd., Chandralok, 36 Janpath, New Delhi.	Member	24. Joint Secretary, In-charge of Woollen Industry, Member Ministry of Commerce, New Delhi.	Member
13. Chairman, Wool Research Association, Churchgate Chambers, 7th Floor, 5, New Marine Lines, Bombay-400020.	Member	25. Shri S. Sahay, Officer on Special Duty (Wool) Ministry of Commerce, New Delhi.	Will serve as Secretary of the Council,
14. Director, Wool Research Association, Churchgate Chambers, 7th Floor, 5, New Marine Lines, Bombay-400020.	Member	[F. No. 8(1)/69/TEX.(E)/TEX.(VI)]	
15. Shri Pratap Singh, Member of Parliament (Lok Sabha), 39, North Avenue, New Delhi.	Member		
16. Shri Syed Hussain, Member of Parliament (Rajya Sabha), 38, Ashoka Road, New Delhi.	Member		

आदेश

नई दिल्ली, 1 जुलाई, 1974

का० आ० 1689/आई० डी० आर० ए०/6/3/74.—केन्द्रीय सरकार, विकास परिषदें (प्रक्रिया संबंधी) नियम, 1952 के साथ पठित, उद्योग (विकास और विनियमन) अधिनियम, 1951 (1951 का 65) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये 21 अप्रैल, 1974, जिसमें यह दिन भी सम्मिलित है, तक की अवधि के लिये, श्री जगमोहन सिंह कोण्डु, जगमन पाल एण्ड कम्पनी, 1520, भागीरथ गैलेस, दिल्ली-6 की, भारत सरकार के औद्योगिक विकास मंत्रालय के आदेश सं० का० आ० 1130/आई० डी० आर० ए०/6/1/74 तारीख 4 मई, 1974 द्वारा गठित औपधि और अपेक्षित के विनियमन और उत्पादन में वर्ग अनुसूचित उद्योगों की विकास परिषद् के सदस्य के रूप में नियुक्त करती है और निर्देश देती है कि उक्त आदेश में निम्नलिखित संशोधन किया जायेगा, अर्थात् :—

उक्त आदेश में, प्रविष्टि सं० 28 के पश्चात् निम्नलिखित अन्त. स्थापित किया जायेगा अर्थात् —

“29 श्री जगमोहन सिंह कोचहर, जगमन पाल एण्ड को
1520, भागीरथ पैलेस,
दिल्ली-110006”

[सं० 8(1)71-सी० ई० एन०]

प्रेम नारायण, अथर सचिव

ORDER

New Delhi, the 1st July 1974

S.O. 1689/IDRA/6/3/74.—In exercise of the powers conferred by Section 6 of the Industries (Development & Regulation) Act, 1951 (65 of 1951), read with the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints for a period upto and inclusive of the 21st

April, 1976, Shri Jagmohan Singh Kochhar, Jagson Pal & Co 1520, Bhagirath Palace, Delhi-6, as a member of the Development Council for the Scheduled Industries engaged in the manufacture and production of Drugs and Pharmaceuticals constituted by the Order of the Govt. of India in the Ministry of Industrial Development No. S. O. 1130 IDRA/6/1/74, dated the 4th May, 1974, and directs that the following amendment shall be made in the said Order, namely:—

In the said Order, after entry No. 28, the following inserted, namely:—

“29 Shri Jagmohan Singh Kochhar,
Jagson Pal & Co.,
1520, Bhagirath Palace,
Delhi-10006.”

[No. 8(1)/74-CDN]
PRGM NARAIN Under Secy.

औद्योगिक विकास, विज्ञान एवं औद्योगिकी सलास

(भारतीय मानक सस्था)

नई दिल्ली, 15 मई, 1974

कॉ० आ० 1690 --भारतीय मानक सस्था (प्रमाणन विज्ञान) विनियम 1955 के विनियम 4 के अनुसार भारतीय मानक सस्था द्वारा अधि-भूचित किया जाता है कि उक्त विनियम 3 के उपविनियम (1) के अमुगार प्राप्त अधिकार के अधीन यहा अनुसूची में दिये गये भारतीय मानकों के संशोधन जारी किये गये हैं-

अनुसूची

क्रम संख्या	संशोधन भारतीय मानक की पदसंख्या और शीर्षक	जिस राष्ट्रपत्र में भारतीय मानक के तैयार होने की सूचना छपी थी उस की संख्या तथा तिथि	संशोधन की संख्या और संशोधन का संक्षिप्त विवरण	संशोधन लागू होने की तिथि
1	2	3	4	5
1	I S : 109-1968 बरूण पलस्तर की पहली परत देने के भारतीय मानक रंग संख्या 361 हल्का स्टान और संख्या 631 हल्का घूसर के अनुसूच तैयार मिश्रित रंग रंगन की विशिष्ट (पुनरीक्षण)	एस० आ० 4509 दिनांक 28 दिसम्बर 1968	सं० 1 अक्टूबर 1972 (1) सुख पृष्ठ, पृष्ठ 1 और 3 के शीर्षको के स्थान पर नये शीर्षक दिये गये हैं। (2) (पृष्ठ 4, खंड 1.1 पंक्ति 3, पहला वाक्य) वाक्य के अन्त में निम्नलिखित शब्द जोड़ लीजिये (3) सारणी 1 के शीर्षक के स्थान पर नया शीर्षक दिया गया है।	1 अक्टूबर, 1972
2	IS : 248-1971 सोडियम बाईसल्फाइट (माडियम मेडाबाईसल्फाइट) की विशिष्ट (दूसरा पुनरीक्षण)	एस० आ० 3318 दिनांक 21 अक्टूबर, 1972	खंड एस०-2, एस०-5.2.4, एस०-6.3.1 और एस०-6.3.3 का संशोधन किया गया है।	1 अक्टूबर 1972
3	IS : 269-1967 माभारण, शीघ्र कठारकारी और अल्प वाष्प वाटेंलैंड सीमेंट की विशिष्ट (दूसरा पुनरीक्षण)	एस० आ० 3608 दिनांक 12 अक्टूबर, 1968	(1) खंड 3.1 (सी०) का संशोधन किया गया है। (2) खंड 4.1 के स्थान पर नया खंड दिया गया है।	1 अक्टूबर 1972
4	IS : 276-1969 आस्टिनाइटी मेगनीज धूम्रान की डली बस्तुओं की विशिष्ट (दूसरा पुनरीक्षण)	एस० आ० 4989 दिनांक 20 दिसम्बर, 1969	सं० 1 सितम्बर 1972 खंड 11.2 के अन्त में एक नई टिप्पणी जोड़ी गई है।	1 सितम्बर, 1972

1	2	3	4	5	6
5	IS : 335-1963 ट्रांसफार्मर और स्विचगियर के रोधन तेल की विशिष्ट (पुनरीक्षण)	एस० ओ० 2297 दिनांक 4 जुलाई, 1964	*सं० 4 मई, 1972	सारणी 1 में क्रम संख्या (X) और पाद टिप्पणी 2 के बाद नई सामग्री जोड़ी गई है।	1 मई, 1972
6	IS : 985-1962 मोटर वाहनों के लिये सीमा श्रमण बैटरियां (भारी यूटो) की विशिष्ट (पुनरीक्षण)	एस० ओ० 1573 दिनांक 26 मई, 1962	सं० 6 नवम्बर, 1972	यह संशोधन शीर्षक में परिवर्तन करने के उद्देश्य से जारी किया गया है जिससे बैटरियों की पहिचान श्रमणी घंटा क्षमता और मापों के आधार पर की जा सके।	1 नवम्बर, 1972
7	IS : 1011-1968 बिस्कुट की विशिष्ट (पहला पुनरीक्षण)	एस० ओ० 3745 दिनांक 26 अक्तूबर, 1968	सं० 2 सितम्बर, 1972	खंड 4.2 और तारांकित पाद टिप्पणी के स्थान पर नये खंड और पाद टिप्पणी दी गई है।	1 सितम्बर, 1972
8	IS : 1285-1968 सामान्य इजी-नियरी कार्यों के लिये पियूवा एल्यूमिनियम और एल्यूमिनियम मिश्रित धातुओं की कढ़वां गोल नलियां और खोखले संरक्षण विशिष्ट (पहला पुनरीक्षण)	एस० ओ० 3152 दिनांक 14 सितम्बर, 1968	सं० 1 अक्तूबर, 1972	खंड 7.1 के अन्त में नई सामग्री जोड़ी गई है।	1 अक्तूबर, 1972
9	IS : 2432-1963 द्रव सल्फर (गंधक) डाइआक्साइड की विशिष्ट	एस० ओ० 3025 दिनांक 26 अक्तूबर, 1963	सं० 1 अक्तूबर, 1972	(पृष्ठ 7, खंड 3.4 परिसर 1, सूत्र) 100 के स्थान पर (1.000) कर लीजिये।	1 अक्तूबर 1972
10	IS : 2556-(भाग 3)- 1967 सफाई के कांचास ससाधन (चीनी मिट्टी) भाग 3 बैठने वाली टट्टियां और टैपों सम्बन्धी विशिष्ट अपेक्षाएं	एस० ओ० 2768 दिनांक 10 अगस्त, 1968	*सं० 1 अगस्त, 1972	सारणी 1 में नई सामग्री जोड़ी गई है।	1 अगस्त, 1972
11	IS : 2568-1963 मालाधियान धूलन पाउडर की विशिष्ट	एस० ओ० 950 दिनांक 21 मार्च, 1964	सं० 1 सितम्बर, 1972	(1) सारणी 1 का संशोधन किया गया है। (2) नये खंड 2.2.1 और 2.2.1.1 जोड़े गये हैं।	1 सितम्बर, 1972
12	IS : 2864-1964 क्लोरोडेन धूलन पाउडर की विशिष्ट	एस० ओ० 618 दिनांक 20 फरवरी, 1965	सं० 2 सितम्बर, 1972	(1) सारणी 1 का संशोधन किया गया है। (2) सारणी 1 के बाद नये खंड 2.2.1 और 2.2.1.1 जोड़े गये हैं।	1 सितम्बर, 1972
13	IS : 3383/1965 आर्द्रतयोग्य गंत्रक चूर्ण की विशिष्ट	एस० ओ० 4023 दिनांक 31 विगम्बर, 1966	सं० 3 सितम्बर, 1972	(1) सारणी 1 का संशोधन किया गया है। (2) सारणी 1 के बाद नये खंड 2.2.1 और 2.2.1.1 जोड़े गये हैं।	1 सितम्बर, 1972
14	IS : 3676--1966 बाब द्वारा छिप-कने वाले पी० बी० सी० टेप की विशिष्ट	एस० ओ० 913, दिनांक 18 मार्च, 1967	सं० 1 नवम्बर, 1972	एक नया खंड 4.18 और एक नया परिशिष्ट के जोड़ा गया है।	1 नवम्बर, 1972
15	IS : 3899--1966 जिनेश्र अल विम-जंतीय पाउडर की विशिष्ट	एस० ओ० 1972 दिनांक 10 जून, 1967	सं० 2 सितम्बर 1972	(1) सारणी 1 का संशोधन किया गया है। (2) सारणी 1 के बाद नये खंड 2.2.1 और 2.2.1.1 जोड़े गये हैं।	1 सितम्बर, 1972

*भारतीय मानक सस्था (प्रमाणन चिह्न) योजना कार्यों के लिये यह संशोधन 1 जनवरी, 1973 से लागू हो गया।

*भारतीय मानक सस्था (प्रमाणन चिह्न) योजना कार्यों के लिये यह संशोधन 15 अक्तूबर 1972 से लागू हो गया।

1	2	3	4	5	6
16. IS : 3903--1966 बाइसेथॉप्ट पाय-सनीय नेत्र द्रव की विशिष्टि	एस० ओ० 2038 दिनांक 17 जून, 1967	सं० 1 अक्तूबर, 1972	खंड 2.3.1 के स्थान पर नया खंड जोड़ा दिया गया है।	1 अक्तूबर, 1972	
17. IS : 3976--1967 खनिजों के लिये रबड़ कैनवस के बचाव अंतों की विशिष्टि	एस० ओ० 2654 दिनांक 5 अगस्त, 1967	सं० 3 अक्तूबर, 1972	(1) खंड 2.5.1 और 2.9 का संशोधन किया गया है। (2) खंड 5.4 और (†) चिह्नकित पाद-टिप्पणी हटा दी गई है।	1 अक्तूबर, 1972	
18. IS : 4322--1967 एन्थोसल्फेन धूलनपाउडर की विशिष्टि	एस० ओ० 683 दिनांक 24 फरवरी, 1968	सं० 2 सितम्बर, 1972	(1) सारणी 1 का संशोधन किया गया है। (2) सारणी 1 के बाद नये खंड 2.2.1 और 2.2.1.1 जोड़े गये हैं।	1 सितम्बर, 1972	
19. IS : 4325--1967 बाइसेथॉप्ट पायसनीय नेत्र चूर्ण की विशिष्टि	एस० ओ० 683, दिनांक 21 फरवरी, 1968	सं० 3 सितम्बर, 1972	खंड 2.3.1 के स्थान पर नया खंड जोड़ा गया है।	1 सितम्बर, 1972	
20. IS : 4351--1967 इस्पात के दर-यात्रा के ढांचों की विशिष्टि	एस० ओ० 683 दिनांक 24 फरवरी, 1968	सं० 1 अक्तूबर, 1972	आकृति के अन्त में इस्पात फ्रेम का एक नया साइज और जोड़ा गया है।	1 अक्तूबर, 1972	
21. IS : 4746-1968 रेल, सड़क और हवाई जहाज द्वारा कुत्तों और बिल्लियों के परिवहन की रीतिसंहिता	एस० ओ० 4425 दिनांक 14 दिसम्बर, 1968	सं० 1 सितम्बर, 1972	खंड 4.3 के पहले वाक्य के स्थान पर नया वाक्य दिया गया है।	1 सितम्बर, 1973	
22. IS : 4766-1968 धिराम जल विपजनीय पाउडर की विशिष्टि	एस० ओ० 368, दिनांक 25 जनवरी, 1969	सं० 1 सितम्बर, 1972	(1) सारणी 1 का संशोधन किया गया है। (2) सारणी 1 के बाद नये खंड 2.2.1 और 2.2.1.1 जोड़े गये हैं।	1 सितम्बर, 1972	
23. IS : 4835--1968 लकड़ी के लिये पोलिबिनाइल एसीटेट आधार पर बने चपक पदार्थ	एस० ओ० 1455, दिनांक 19 अप्रैल, 1969	सं० 1 सितम्बर, 1972	खंड 8.5.2 का संशोधन किया गया है।	1 सितम्बर, 1972	
24. IS : 4915--1968 वेल्डरों की खुरचन हथौड़ियों की विशिष्टि	एस० ओ० 1455, दिनांक 19 अप्रैल 1969	सं० 1 अक्तूबर, 1972	आकृति 1 के स्थान पर नई आकृति दी गई है।	1 सितम्बर, 1972	
25. IS : 5001--1969 एक दिग्वारक साधनों की द्राइंग तैयार करने की मार्गदर्शिका	एस० ओ० 4114, दिनांक 11 अक्तूबर, 1969,	सं० 1 सितम्बर, 1972	(1) (पदनाम) इस मानक में सभी स्थानों पर IS : 5001- 1969 के स्थान पर IS : 5001 (भाग 1) 1969 कर लीजिये। (2) मुख पृष्ठ, पृष्ठ 1 और 3 पर दिये शीर्षक के स्थान पर नया शीर्षक दिया गया है।	1 सितम्बर, 1972	
26. IS : 5099-1969 ट्रिबस्ट्रिल की पूर्ति की तकनीकी शर्तें	एस० ओ० 3562 दिनांक 25 सितम्बर, 1971	सं० 1 अक्तूबर, 1972	खंड 9.1 और 9.2 का संशोधन किया गया है।	1 अक्तूबर, 1972	

1	2	3	4	5	6
27	IS : 5469-1969 एक दिशबालक जकेशन युक्तियों के उपयोग की सीमाविज्ञान	एस० ओ० 3015, दिनांक 11 अगस्त, 1971	संख्या 1 अक्तूबर, 1972	(1) (प्रदानात्मक)—मानक में जहां भी भी आया हो, IS : 5469-1969 के स्थान पर IS : 5469 (भाग 1) 1969 कर लीजिये। (2) मुख्य पृष्ठ, पृष्ठ 1 और 3 में दिये शीर्षक के स्थान पर नया शीर्षक दिया गया है। (3) खंड 0.2 और 1.1 का संशोधन किया गया है। (4) एक नया खंड 0.2.1 जोड़ा गया है।	1 अक्तूबर, 1972
28	IS : 5549--1970 शारकरिन चारे वाले नेत्र द्रव्य की विशिष्टि	एस० ओ० 3740, दिनांक 9 अक्तूबर, 1971	सं० 1 मिनम्बर, 1972	खंड 2.2.1 के स्थान पर नया खंड दिया गया है।	1 मिनम्बर, 1972
29	IS : 5716--1970 फीजी हवाई छत-रियों के लिये सूती फीलों की विशिष्टि	एस० ओ० 1555, दिनांक 24 जून, 1972	सं० 1 अक्तूबर, 1972	सारणी 1 का संशोधन किया गया है।	1 मिनम्बर, 1972
30	IS : 5986--1970 सामान्य कार्यों के लिये गैर-जंकबुलों की लकड़ी के टुकड़ों की विशिष्टि	एस० ओ० 1635, दिनांक 8 जुलाई, 1972	सं० 1 मिनम्बर, 1972	(पृष्ठ 6, सारणी 1—ग्रेड 1 और 2 के नीचे दी सामग्री क्रम संख्या (xi) के सम्मुख ग्रेडों के नीचे दी सामग्री आपस में बदल दीजिये।	

इन संशोधनों की प्रतियां भारतीय मानक संस्था, मानक भवन 9, बहादुरशाह जफर मार्ग, नई दिल्ली-1 और शास्त्रा कार्यालयों (1) नावेल्टी चैम्बर्स, ग्राट राड, बम्बई-7 (2) चौरंगी एप्रोब, कलकत्ता-13 (3) 54-जनरल पैटर्स रोड, मद्रास-2 (4) 'साधना' नूर मोहमद गेख मार्ग, अहमदाबाद-1 (5) 117/418, बी मर्चेंट्स नगर, कानपुर-5 (6) 5-9-201/2 ए० (पहली मंजिल) चिरागझमी लेन हैदराबाद-1 (7) एफ ब्लाक, यूनिटी बिल्डिंग नरसिंहराज स्क्वेयर, बंगलौर, (8) गांधी मैदान, पूर्वी पटना, से प्राप्त की जा सकती हैं।

ए० पी० बनर्जी, उप महानिदेशक

[सं० सी एम डी/13:5]

Ministry of Industrial Development, Science & Technology

INDIAN STANDARDS INSTITUTION

New Delhi, the 15 May, 1974

S. O. 1690.—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that amendment(s) to the Indian Standard(s) given in the schedule hereto annexed/have been issued under the powers conferred by the sub-regulation (1) of Regulation 3 of the said Regulations. —

THE SCHEDULE

Sl. No and title of the Indian Standard amended	No. and Date of Gazette Notification in which the establishment of the Indian Standard was notified	No. and Date of Amendment	Brief particulars of the Amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)	(5)
1. IS:109-1968 Specification for ready mixed paint, brushing, priming, plaster, to Indian Standard colour No. 361 light stone, and No. 631 Light grey (first revision)	S.O. 4599 dated 28 December, 1968	No. 1 October 1972	(i) Title on first cover page, pages 1 and 3 and have been substituted by new one. (ii) (Page 4, clause 1.1, line 3, first sentence)—Add the following words at the end of the sentence; 'and off-white' (iii) Caption of Table 1 has been substituted by a new one.	1st October, 1972

(1)	(2)	(3)	(4)	(5)	(6)
2. IS: 248-1971 Specification for sodium bisulphite (sodium metabisulphite) (Second Revision)	S.O. 3318 dated 21 October 1972	No. 1 October 1972	Clauses A-23, A-5. 2. 4, A-6. 3.1 and A-6.3.3 have been amended	1 October, 1972	
3. IS : 269-1967 Specification for ordinary, rapid hardening and low heat portland cement (second revision)	S.O. 3608 dated 12 October 1968	No. 2 October 1972	(i) Clause 3.1 (C) has been amended (ii) Clause 4.1 has been substituted by a new one.	1 October 1972	
4. IS: 276-1969 Specification for austenitic manganese steel castings (second revision)	S.O. 4959 dated 20 December 1969	No. 1 September 1972	A note has been added at the end of the clause 11.2	1 September 1972	
5. IS: 335-1963 Specification for insulating oil for transformers and switchgear (Revised)	S.O. 2297 dated 4 July 1964	*No. 4 May 1972	New matter after Sl. No. (x) and additional foot notes after Note 2 have been added in Table 1	1 May 1972	
6. IS : 985-1962 Specification for lead-acid storage batteries (heavy duty) for motor vehicles (Revised)	S.O. 1573 dated 26 May 1962	No. 6 November 1972	The amendment aims at re-designating the title so that the batteries are identified by their ampere-hour capacities and dimensions only.	1 November 1972	
7. IS : 1011-1968 Specification for biscuits (first Revision)	S.O. 3745 dated 26 October 1968	No. 2 September 1972	Clause 4.2 and foot-note with (x) marks have been substituted by new ones	1 September 1972	
8. IS : 1285-1968 Specification for wrought aluminium and aluminium alloys, extruded round tube and hollow sections (for general engineering purposes) (First Revision)	S.O. 3152 dated 14 September 1968	No. 1 October 1972	New matter has been added at the end of clause 7.1.	1 October 1972	
9. IS : 2432-1963 Specification for liquid sulphur dioxide	S.O. 3025 dated 26 October 1963	No. 1 October 1972	(Page 7, clause A-3.4, line 1, formula) substitute '1.000' for '100'.	1 October 1972	
10. IS : 2556 (Part III)-1967 Specification for vitreous sanitary appliances (vitreous china) Part III Specific requirements of squatting pans and traps (First Revision)	S.O. 2766 dated 10 August 1968	+No. 1 August 1972	New matter has been added in Table 1.	1 August 1972	
11. IS : 2568-1963 Specification for malathion dusting powders	S.O. 950 dated 21 March 1964	No. 1 September 1972	(i) Table 1 has been amended (ii) New clauses 2.2.1 & 2.2.1.1 have been added	1 September 1972	
12. IS : 2864-1964 Specification for chlordane dusting powders	S.O. 618 dated 20 February 1965	No. 2 September 1972	(i) Table 1 has been amended (ii) New Clauses 2.2.1 & 2.2.1.1 have been added after Table 1	1 September 1972	
13. IS : 3383-1965 Specification for wettable sulphur powder	S.O. 4023 dated 31 December 1966	No. 3 September 1972	(i) Table 1 has been amended (ii) New clauses 2.2.1 & 2.2.1.1 have been added after Table 1	1 September 1972	
14. IS : 3676-1966 Specification for pressure sensitive adhesive PVC tapes	S.O. 913 dated 18 March 1967	No. 1 November 1972	A new clause 4.18 and a new Appendix K have been added	1 November 1972	
15. IS : 3899-1966 Specification for Zineb water dispersible powder	S.O. 1972 dated 10 June 1967	No. 2 September 1972	(i) Table 1 has been amended (ii) New clauses 2.2.1 and 2.2.1.1 have been added after Table 1	1 September 1972	
16. IS : 3903-1967 Specification for dimethoate emulsifiable concentrates	S.O. 2038 dated 17 June 1967	No. 1 October 1972	Clause 2.3.1 has been substituted by a new one	1 October 1972	
17. IS : 3976-1967 Specification for safety rubber canvas boots for miners	S.O. 2654 dated 5 August 1967	No. 3 October 1972	(i) Clause 2.5.1 and 2.9 have been amended (ii) Clause 5.4 has been deleted along with the relevant foot note with (f) marks	1 October 1972	

*For purposes of ISI Certification Marks Scheme; this amendment shall come into force with effect from 1 January 1973.

+For purposes of ISI Certification Marks Scheme; this amendment shall come into force with effect from 15 October 1972.

(1)	(2)	(3)	(4)	(5)	(6)
18. IS : 4322-1967 Specification for endosulfan dusting powders	S.O. 683 dated 24 February 1968	No. 2 September 1972	(i) Table 1 has been amended (ii) New clauses 2.2.1 and 2.2.1.1 have been added after table 1	1 September 1972	
19. IS : 4325-1967 Specification for binapacryl emulsifiable concentrates	S.O. 683 dated 24 February 1968	No. 3 September 1972	Clause 2.3.1 has been substituted by a new one	1 September 1972	
20. IS : 4351-1967 Specification for steel door frames	S.O. 683 dated 24 February 1968	No. 1 October 1972	A new size of steel frame has been added at the end of Fig 1	1 October 1972	
21. IS : 4746-1968 Code for transport of dogs and cats by Rail, Road and Air	S.O. 4425 dated 14 December 1968	No. 1 September 1972	First sentence of clause 4.3 has been substituted by a new one	1 September 1972	
22. IS : 4766-1968 Specification for thiram water dispersible powder	S.O. 368 dated 25 January 1969	No. 1 September 1972	(i) Table 1 has been amended (ii) New Clases 2.2.1 and 2.2.1.1 have been added after Table 1	1 September 1972	
23. IS : 4835-1968 Sepcification for polyvinyl acetate dispersion-based adhesives for wood	S.O. 1455 dated 19 April 1969	No. 1 September 1972	Clause 8.5.2 has been amended	1 September 1972	
24. IS : 4915-1968 Specification for welders' chipping hammer	S.O. 1455 dated 19 April 1969	No. 1 October 1972	Fig 1 has been substituted by a new one		
25. IS : 5001-1969 Guide for preparation of drawings of semiconductor devices	S.O. 4114 dated 11 October 1969	No. 1 September 1972	(i) (Designation)—substitute IS : 5001 (Part 1)-1969 for IS : 5001-1969 wherever it appears in the standard (ii) Title on first cover page, pages 1 and 3 has been substituted by new one	1 September 1972	
26. IS : 5099-1969 Technical supply conditions for twist drills	S.O. 3562 dated 25 September 1971	No. 1 October 1972	Clauses 9.1 and 9.2 have been amended	1 October 1972	
27. IS : 5469-1969 Code of practice for the use of semiconductor junction devices	S.O. 3015 dated 14 August 1971	No. 1 October 1972	(i) (Designation)—substitute IS : 5469 f(Part 1)-1969 for 'IS': 5469-1969 wherever it appears in the standard (ii) Title on first cover page, pages 1 & 3 has been substituted by new one (iii) Clauses 0.2 and 1.1 have been amended (iv) New Clause 0.2.1 has been added.	1 October 1972	
28. IS : 5549-1970 Sepcification for warfarin bait concentrates	S.O. 3740 dated 9 October 1971	No. 1 September 1972	Clause 2.2.1 has been substituted by a new one	1 September 1972	
29. IS : 5716-1970 Specification for cotton tapes for personnel parachutes	S.O. 1555 dated 24 June 1972	No. 1 October 1972	Table 1 has been amended	1 October 1972	
30. IS : 5966-1970 Specification for non-coniferous timber in converted form for general purposes	S.O. 1635 dated 8 July 1972	No. 1 September 1972	(Page 6, Table 1 matter under Grades I and II, against Sl. No. (xi)—Interchange the matter under the respective grades.	1 September 1972	

Copies of these amendments are available for sale with the Indian Standards Institution, 'Manak Bhavan', 9 Bahadur Shah Zafar Marg, New Delhi-1 and also its branch offices at (i) Novelty Chambers, Grant Road, Bombay-7 (ii) 5 Chowringhee Approach, Calcutta-13 (iii) 54 General Patters Road, Madras-2 (iv) 'SADHNA' Nurmohamed Saikh Marg, Ahmedabad-1 (v) 117/418 B Sarvodaya Nagar, Kanpur-5 (vi) 5-9-201/2-A (First Floor), Chirag Ali Lane, Hyderabad-1 (vii) F Block, Unity Bldg, Narasimharaja Square, Bangalore-2 and (viii) B.C.I. Building (3rd Floor), Gandhi Maidan East, Patna-4

[No. CMD/13.5]

A. P. BANERJI, Deputy Director General

नई दिल्ली, 14 जून, 1974

क्रा० प्रा० 1691.— समय समय पर मशोर्धित भारतीय मानक संस्था (प्रमाणन बिन्हू) विनियम 1955 के विनियम 14 के उपविनियम (2) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि लाइसेंस संख्या सी एम/एल-3447 जिसके न्यौरे नीचे अनुसूची में दिए गए हैं, लाइसेंस-धारी द्वारा अन्य पक्ष को संयंत्र बेच देने के कारण 1 अप्रैल 1974 से रद्द कर दिया गया है।

अनुसूची

क्रम सं०	लाइसेंस की संख्या और तिथि	लाइसेंसधारी का नाम और पता	रद्द किए गए लाइसेंस के अधीन वस्तु/प्रक्रिया	संबंधी भारतीय मानक
(1)	(2)	(3)	(4)	(5)
1.	सी एम/एल-3447 1-7-1973	मेमसे बोरियन इंडस्ट्रीज एण्ड केमिकल्स लि०, 551/1, मूमापाड़ी गांधी, अम्बातूर, मद्रास-58 : इनका पंजीकृत कार्यालय सं० 4 दूसरी गली, डा० तिरुमूर्तिनगर, मद्रास में है।	बी एच सी धूलन पाउडर	IS:561-1962 बी एच सी धूलन पाउडर की विशिष्टि (दूसरा पुनरीक्षण)

[सं० सीएमडी/55:3447]

ए० क० गुप्ता, उप महानिदेशक

New Delhi, the 14 June 1974

S. O. 1691.— In pursuance of sub-regulation (II) of regulation 14 of the Indian Standards Institution (Certifications Marks) regulation 1955 as amended from time to time, the Indian Standards Institution hereby notifies that Licence No. CM/L-3447 particulars of which are given below has been cancelled with effect from 1 April 1974 as the licensee has sold the plant to another party.

Sl. No.	Licences No. & Date	Name and Address of the Licensee	Articles/Process governed by the licensees cancelled	Relevant Indian Standard
1	2	3	4	5
1.	CM/L-3447 1-7-1973	M/s. Vorion Industries and Chemicals Ltd., 551/1, Mugaperi Village, Ambattur, Madras-58 having their office at No.4, Second Street, Dr. Thirumoorthy Nagar, Madras 34.	BHC DP	IS: 561-1962 Specification for BHC dusting powders (second revision)

No. CMD 55:3447

A. K. Gupta, Dy. Director General

नौबहन और परिवहन मंत्रालय

(परिवहन पक्ष)

नई दिल्ली, 22 जून, 1974

(दीपधर तथा दीपपोत)

क्रा० प्रा० 1692.— भारतीय दीपधर अधिनियम 1927 (1927 का 17) की धारा 4 की उपधारा (1) के अनुसरण में केन्द्रीय सरकार एतद्वारा अधिसूचना उक्त के प्रकाशन की तारीख से दो वर्ष की अवधि के लिये केन्द्रीय सलाहकार समिति नियुक्त करती है जिसमें निम्नलिखित व्यक्ति होंगे, अर्थात्:—

अध्यक्ष

सचिव, नौबहन और परिवहन मंत्रालय

सदस्य

1. नौबहन महानिदेशक, बंबई
2. भारत सरकार के नौमलाहकार
3. नौबहन तथा परिवहन मंत्रालय के वित्तीय सलाहकार
4. भारतीय नौसेना के मुख्य जल सर्वेक्षक, चेन्नई

5. नौबहन तथा परिवहन मंत्रालय में दीपधर तथा दीपपोत विभाग के प्रभारी संयुक्त सचिव।

6. श्री एम० जे० अणेश द्वारा भारतीय वाणिज्य मंडल पी० ओ० बाक्स संख्या 236 कोचीन-2

7. श्री आर० के० बिलमोरिया, मैकिन्ड्रो मैकेन्जी एण्ड प्रॉक्सेट कंपनी लिमिटेड, शूरजी बल्लभवास मार्ग, पी० ओ० बाक्स संख्या 122, बंबई।

8. कैप्टन एच० के० डी० पटेल, सिंधिया स्टीम नेवीगेशन कंपनी लिमिटेड, बंबई।

9. कैप्टन सी० जी० भूत समुद्री अधीक्षक, शिपिंग कारपोरेशन आफ इंडिया, ट्रेड, शिपिंग हाउस, मैडम कामा रोड, बंबई-1

10. अध्यक्ष एवं प्रबन्धक निदेशक, शिपिंग कारपोरेशन आफ इंडिया, शिपिंग हाउस, मैडम कामा रोड, बंबई-1

11. श्री बी० एम० हसन हाजी मार्फत, मेमसे हसन हाजी एण्ड सन्स, मंगलौर।

12. श्री एम० जे० राय मेसर्स, भारत मेरीन्ज प्रॉक्सेट लिमिटेड, मसूमीपट्टनम।

13. श्री कैप्टेन बी० बी० मेधावरी, उप संरक्षक, मद्रास पत्तन न्याम, मद्रास।

14. श्री एस० सी० सामन्त, संसद सदस्य, लोक सभा, नई दिल्ली।

15. श्री एन० एम० त्रिवेदी, संसद सदस्य, राज्य सभा, नई दिल्ली।

16. महानिदेशक दीपधर तथा दीपपोत, नई दिल्ली (पदेन) सदस्य सचिव।

[फा० सं० 4-एम० एल० (14)/73]

बी० बी० दास, अधर सचिव

MINISTRY OF SHIPPING AND TRANSPORT

(Transport Wing)

New Delhi, the 22nd June, 1974

LIGHT-HOUSES AND LIGHT-SHIPS

S.O. 1692.—In pursuance of sub-section (1) of section 4 of the Indian Light-house Act, 1927 (17 of 1927), the Central Government hereby appoints for a period of two years from the date of publication of this notification, a Central Advisory Committee consisting of the following persons, namely :—

Chairman

Secretary, Ministry of Shipping and Transport.

Members

1. Director General of Shipping, Bombay.
2. Nautical Adviser to the Government of India.
3. Financial Adviser, Ministry of Shipping and Transport.
4. Chief Hydrographer, Indian Navy, Dehra Dun.
5. Joint Secretary incharge of the Department of Light-houses and Light-ships, in the Ministry of Shipping and Transport.
6. Shri S. J. Asher, C/o. The Indian Chamber of Commerce, P.O. Box No. 236, Cochin-2.
7. Shri R. K. Bilimoria, Mackinnon Mackenzie and Co. Pvt. Ltd., Shoorji Vallabhdas Marg, P.O. Box No. 122, Bombay-1.
8. Captain H.K.D. Patel, Scindia Steam Navigation Co. Ltd, Bombay.
9. Captain C. G. Bhoot, Marine Superintendent, Shipping Corporation of India Ltd., Shipping House, Madam Cama Road, Bombay-1.
10. Chairman and Managing Director, Shipping Corporation of India, Shipping House, Madam Cama Road, Bombay-1.
11. Shri B. M. Hassan Haji, C/o. M/s. Hassan Haji and Sons, Mangalore.
12. Shri M. J. Rao, M/s. Bharat Marines Pvt. Ltd., Masulipatnam.
13. Captain V. V. Seshadri, Deputy Conservator, Madras Port Trust, Madras.
14. Shri S. C. Samanta, M.P. Lok Sabha, New Delhi.
15. Shri H. M. Trivedi, M.P. Rajya Sabha, New Delhi.
16. The Director General of Light-houses and Light-ships, New Delhi (ex-officio), Member Secretary.

[F. No. 4-MJ (14)/73]

B. B. DAS, Under Secy.

निर्माण और आवास मंत्रालय

नई दिल्ली, 14 मई, 1974

फा० आ० 1693.—यह हमने उपायुक्त अनुसूची में उल्लिखित क्षेत्रों के विषय में कतिपय उपान्तरण, जिन्हें केन्द्रीय सरकार दिल्ली के मास्टर प्लान में करने की प्रस्थापना करती है, सूचना संख्या फा० 3 (120)/73-एम० पी०, तारीख 8 विमम्बर, 1973 के साथ, दिल्ली विकास अधिनियम, 1957 (1957 का 61) की धारा 41 के उपबन्धों के अनुसार, प्रकाशित किए गए थे। जिनमें उक्त अधिनियम की धारा 11-क की उपधारा (3) की अपेक्षाानुसार आक्षेप और सुझाव मांगे गए थे :

और यह: केन्द्रीय सरकार ने, पूर्वोक्त अनुसूची में उल्लिखित क्षेत्र में सम्बंधित आक्षेपों और सुझावों पर विचार करने के पश्चात् दिल्ली के मास्टर प्लान को उपान्तरित करने का विनिश्चय किया है।

अतः, अब, उक्त अधिनियम की धारा 11-क की उपधारा (2) द्वारा प्रबत शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारत के राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से, दिल्ली के उक्त मास्टर प्लान में निम्नलिखित उपान्तरण करती है, अर्थात् :—

“बहु क्षेत्र, जो उत्तर में रेस कोर्स और सफदरजंग मकबरा, दक्षिण में रेलवे लाइन, पश्चिम में नाला और पूर्व में मेहरोली रोड से सीमाबद्ध है, जिसका माप लगभग 91.00 हेक्टेयर है और मास्टर प्लान में आमोद-प्रसोव के प्रयोग के लिए सुरक्षित है, सफदरजंग हवाई पत्तन के बनाए रखने के लिए ‘परिचालन प्रयोग’ के लिए बदला गया है”।

अनुसूची

बहु क्षेत्र, जिसका माप लगभग 91.00 हेक्टेयर है और जो उत्तर में रेस कोर्स और सफदरजंग मकबरा, दक्षिण में रेलवे लाइन, पश्चिम में नाला और पूर्व में मेहरोली रोड से सीमाबद्ध है।

[सं० के-13011(9)/72-यू०डी०।]

बी० आर० ग्रन्थर, अधर सचिव

MINISTRY OF WORKS AND HOUSING

New Delhi, the 14th May, 1974

S.O. 1693.—Whereas certain modifications which the Central Government proposes to make in the Master Plan for Delhi regarding the areas mentioned in the Schedule annexed hereto, were published with notice No. F. 3(120)/73-M.P. dated the 8th December, 1973 in accordance with the provisions of section 44 of the Delhi Development Act, 1957 (61 of 1957) for inviting objections and suggestions, as required by sub-section (3) of section 11-A of the said Act :

And whereas the Central Government, after considering the objection and suggestion with regard to the area mentioned in the aforesaid Schedule, has decided to modify the Master Plan for Delhi.

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 11-A of the said Act, the Central Government hereby makes the following modifications in the said Master Plan for Delhi with effect from the date of publication of the notification in the Gazette of India, namely :—

“The area bounded by Race Course and Safdarjang Tomb in the north, railway line in the south, Nallah in the west and Mehrauli Road in the east, measuring about 91.00 hectares and earmarked for recreational use in the Master Plan is changed for ‘Circulation Use’ for the retention of Safdarjang Airport”.

THE SCHEDULE

An area measuring about 9100 hectares bounded by Race Course and Safdarjang Tomb in the north, railway line in the south, nallah in the west and Mehrauli Road in the east.

[No. K-13011(9)/72-UDF]

V. R. IYER, Under Secy.

दिल्ली विकास प्राधिकरण

सार्वजनिक सूचना

नई दिल्ली, 29 जून, 1974

का० प्रा० 1694.—केन्द्रीय सरकार दिल्ली मुख्य योजना में निम्नलिखित संशोधन करने का विचार कर रही है जिसे सार्वजनिक सूचना हेतु एगड-द्वारा प्रकाशित किया जा रहा है। प्रस्तावित संशोधन के सम्बन्ध में यदि किसी व्यक्ति को आपत्ति या सुझाव देना हो तो वे अपने आपत्ति और सुझाव इस सूचना के 30 दिन के भीतर सचिव, दिल्ली विकास प्राधिकरण, दिल्ली विकास भवन, इन्द्रप्रस्थ इस्टेट, नई दिल्ली के पाग निम्न रूप में भेज सकते हैं। जो व्यक्ति अपनी आपत्ति या सुझाव दे वे अपना नाम एवं पुरा पता भी दें।

संशोधन

“मनोरजन उपयोग हेतु निर्दिष्ट 0.62 हेक्टेयर (1.523 एकड़) का भूखण्ड जो 2.5 हेक्टेयर (6.2 एकड़) के एक बड़े भूखण्ड का भाग है तथा जोन डी-20 (डिफेंस कालोनी) में पड़ता है, के भूमि उपयोग को ‘पब्लिक तथा सैमी पब्लिक’ (सम्व्यानिक) में परिवर्तित किये जाने का प्रस्ताव है। यह भूखण्ड उत्तर में 12.2 मीटर (40') तथा पश्चिम में 18.3 मीटर (60') चौड़ी सड़क तथा दक्षिण एवं पूर्व में मनोरजन क्षेत्र द्वारा घिरा हुआ है।”

शनिवार को छोड़ सभी कार्यशील दिनों में दिल्ली विकास प्राधिकरण के कार्यालय दिल्ली विकास भवन, इन्द्रप्रस्थ इस्टेट, नई दिल्ली, में उक्त अवधि में श्राकर प्रस्तावित संशोधन के मानचित्रों का निरीक्षण किया जा सकता है।

[सं० एफ-3(91)/67-एम० पी०]

हृदय नाथ कोनेदार, सचिव

DELHI DEVELOPMENT AUTHORITY

PUBLIC NOTICE

New Delhi, the 29th June, 1974

S.O. 1694.—The following modification which the Central Government proposes to make to the Master Plan for Delhi is hereby published for public information. Any person having any objection or suggestion with respect to the proposed modification may send his objection or suggestion in writing to the Secretary, Delhi Development Authority, Delhi Vikas Bhavan, Indraprastha Estate, New Delhi, within a period of thirty days from the date of this notice. The person making the objection or suggestion should also give his name and full address.

MODIFICATION

“A plot measuring 0.62 hectare (1.523 acres), earmarked as ‘recreational use’ forming part of bigger plot of 2.5 hectares (6.2 acres) and falling in zone D-20 (Defence Colony), is proposed to be changed to ‘public and semipublic use’ (Institutional). This plot is bounded by 12.2 metres (40 ft.), wide road in the north, 18.3 metres (60 ft.) wide road in the west, and recreational area in south and east.”

The plan indicating the proposed modification will be available for inspection at the office of the Authority, Delhi Vikas Bhavan, Indraprastha Estate, New Delhi, on all working days except Saturdays, within the period referred to above.

[F. No. 3(91)/67-M.P.]

H. N. FOTEDAR, Secy
Delhi Development Authority.

संचार मंत्रालय

डाक-तार बोर्ड

नई दिल्ली, दिनांक 21-6-74

का० प्रा० 1695.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने बरनाला टेलीफोन केंद्र में दिनांक 16-7-74 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[फा सं० 5-26/74-पी० एच० बी०]

MINISTRY OF COMMUNICATIONS

(P & T BOARD)

New Delhi, the 21st June, 1974

S.O. 1695.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General Posts and Telegraphs, hereby specifies the 16th July, 1974 as the date on which the Measured Rate System will be introduced in Barnala Telephone Exchange, Punjab Circle.

[F. No. 5-26/74-PH]

का० प्रा० 1696.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने डेलीफोन केंद्र में दिनांक 16-7-74 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[सं० 5-26/74-पी० एच० बी०
पी० सी० गुप्ता, सहायक महानिर्देशक]

S.O. 1696.—In pursuance of para (a) of Section I Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General Posts and Telegraphs, hereby specifies the 16th July, 1974 as the date on which the Measured Rate System will be introduced in Dhuri Telephone Exchange, Punjab Circle.

[F. No. 5-26/74]

P. C. GUPTA, Assistant Director

MINISTRY OF LABOUR

New Delhi, the 21st June, 1974

S.O. 1697.—In pursuance of section 17 of the Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Industrial Tribunal No. 2, Bombay, in the dispute between the employers in relation to the Board, Kamptee and their workmen, which was referred to the Central Government on the 18th June, 1974.

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO 2, BOMBAY

Reference No CGIT 2/17 of 1973

Employers in relation to the Cantonment Board, Kamptee
And
Their workmen

PRESENT

Shri N K Vanu, Presiding Officer

APPEARANCES

For the Employers—Shri N M Thaire, Advocate

For the Workmen—Shri M B Vyas, Advocate

INDUSTRY Cantonment Board, STATE Maharashtra
Bombay, dated the 9th May, 1974

AWARD

By order No 1 13012 1/73-LR 1 dated 3 12 1973 the Government of India in the Ministry of Labour in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred to this Tribunal for adjudication an industrial dispute existing between the employers in relation to the Cantonment Board, Kamptee and their workman in respect of the matter specified in the Schedule as mentioned below —

'SCHEDULE'

Whether the termination of services of Shri Shyamlal Baldi Barse, Sweeper, Cantonment Board, Kamptee, District Nagpur (Maharashtra State) is justified? If not to what relief the workman is entitled to?"

2 The facts giving rise to this reference are as follows —

- (i) Shri Shyamlal Baldi Barse was working as Sweeper in the Cantonment Board, Kamptee (hereinafter referred to as 'Board') from the year 1958 till 21-7-1969. Thereafter he was promoted as Conservancy Jamadar from 22-7-1969. He worked in this post till 17-3-1970. Thereafter he was reverted to the original post.
- (ii) As he was reverted from the post of Conservancy Jamadar to that of Sweeper he filed a Civil Suit No 274 of 1970 in the Court of Civil Judge, Senior Division Nagpur for declaration that he was entitled to remain in the post of Conservancy Jamadar in the service of the Board and for injunction restraining the Executive Officer, Cantonment Board Kamptee from reverting him from the post of Conservancy Jamadar to the post of Sweeper (vide copy of judgement Ex 15/E). During the pendency of this Suit he moved the Court for obtaining temporary injunction. The same was vacated on 4-7-1970 (vide copy of judgement Ex 16/E). The original suit was dismissed on 17-1-1972 (vide copy of judgement Ex 15/E).
- (iii) By letter dated 21-1-1972 Ex 5/E the Cantonment Executive Officer Shri K R A N Iyar called upon this workman to show cause as to why his services should not be terminated as he continuously absented himself from 7-7-1970 without any sanction and/or permission. The workman Shri Shyamlal gave explanation to this show cause notice by his letter dated 24-1-1972, vide copy Ex 6/E.
- (iv) The workman made application to the Cantonment Executive Officer for allowing him to join duty with effect from 24-1-1972 after a period of leave from 7-7-1970 to 22-1-1972. The Cantonment Executive Officer by letter dated 2-5-1972 (copy at Ex 12/E) informed him that he is not allowed to join duties pending an enquiry into the matter of wilful absence from duty.

- (v) On 13-5-1972 two charges i.e. wilful absence from duty and disobedience of the orders of the Board as mentioned in Annexure A to Ex 10/E were levelled against the workman. He was informed by the Cantonment Executive Officer by Ex 10/E that the enquiry would be held against him in respect of the charges and that he should furnish his explanation within 10 days from the receipt of that letter.
- (vi) The workman denied the charges levelled against him by his written statement dated 7-6-1972 (vide copy of the letter Ex 8/E).
- (vii) The Cantonment Executive Officer held departmental enquiry against the workman and gave his findings on 8-3-1972 (vide copy at Ex 17/E).
- (viii) After the enquiry findings Ex 17/E notice was issued to the workman to show cause against the proposed action of termination of service. The workman accordingly gave his explanation (copy at Ex 7/E). After considering his explanation the Cantonment Executive Officer passed order dated 12-9-1972 terminating the workman's services with effect from 12-9-1972 (vide copy Ex 11/E). Against this order the workman made appeal to the Cantonment Board. The Cantonment Board rejected his appeal on 21-11-1972 (vide copy at Ex 14/E).
- (ix) As the appeal was rejected the workman moved the Assistant Labour Commissioner (C) Nagpur, who tried to bring about conciliation but in vain. He then submitted his failure of conciliation report to the Government. The Government then referred this dispute to this Tribunal for adjudication.

3 After the receipt of the reference notices were issued to the parties. In pursuance of these notices both the parties appeared before me and filed their written statements.

4 The workman Shri Shamlal Baldi Barse has filed written statement at Ex 1/W.

5 According to him —

- (i) Immediately, after his reversion to his original post he informed the Board that as he felt aggrieved by the action of the Board he would like to challenge the order of reversion in Civil Court and till the said case was finally decided he would prefer to remain absent. The Board allowed him to do so and informed him that no salary would be paid to him. As soon as he obtained a temporary injunction on 29-4-1970 he rejoined the duty with effect from 2-5-1970. On 7-7-1970 he applied for leave for one month as he had to proceed to Amravati to look after his sister who was seriously ill there. He was informed that as no leave was to his credit he would avail leave without pay.
- (ii) As soon as his temporary injunction was vacated by the Court the workman made application on 11-8-1970 informing that he would remain absent till his case was finally decided by the Court. The Board did not give any reply to his application. It however gave him to understand that he would not be paid salary if remained absent. After the decision of the Suit the Board did not allow him to join duty but issued a show cause notice dated 21-1-1972 stating as to why his services should not be terminated. This shows that the Board had made up its mind to get rid of him as he approached the Court against its order.
- (iii) On receipt of his reply to the show cause notice the Board decided to hold enquiry against him on charges of absentism wilfully and without any permission and sanction from proper authorities. The enquiry was belated one inasmuch as the alleged absentism was for the period from 18-3-1970 to 1-5-1970 and from 7-7-1970 onwards and because steps were proposed to be taken after a lapse of considerable period of 2 years and after the decision of the Civil Suit. As the Board allowed him to remain absent till the decision of Civil Suit, the departmental enquiry started after the decision of the Suit is false to oust him.

- (iv) The departmental enquiry was held by the Cantonment Executive Officer of the Board. Three witnesses and the workman were examined. Show cause notice of the proposed punishment of termination was issued by the Enquiry Officer i.e. Cantonment Executive Officer. This enquiry was illegal as it was held by the Cantonment Executive Officer himself who is also a complainant i.e. reporting authority. The Cantonment Executive Officer terminated his services. This termination is illegal.
 - (v) Leave applications dated 7-7-1970 and 11-8-1970 made by him and leave sanctioned by the Board dated 15-7-1970 were not brought on record during the course of enquiry although these documents are in the custody of the Board. These facts show that the departmental enquiry was farce, just to get rid of him.
 - (vi) The witness Shri Rattan who was examined in the Departmental Enquiry on behalf of the Board all along supported the contentions of the workman but his evidence was intelligently and deliberately kept aside by the Enquiry Officer. Shri Rattan has admitted that he had submitted application for leave and the same was sanctioned in the month of March, 1970. He further admitted that Shri Pillai, the then Cantonment Executive Officer told the workman that leave would be sanctioned to him but no pay would be paid to him. Shri Rattan has also admitted that whenever the workman was proceeding on leave he was submitting his leave applications regularly with Shri Rattan under whom he was working.
 - (vii) The Enquiry Officer has admitted that on 11-8-1970 he had made application to the Board informing his decision to remain absent till his case was decided. Since no action was taken on this application for a considerable long period by the Board it can be presumed that he was allowed to remain absent.
 - (viii) The Enquiry Officer disbelieved Shri Rattan because he fully supported him. This shows that the enquiry was not fair and equitable. As the Cantonment Executive Officer was the reporting authority he was not entitled to act as Enquiry Officer for the reason that the Prosecutor and the Judge should not be one and the same person. On account of this great injustice has been done to him.
 - (ix) The Departmental enquiry was one sided. The Cantonment Executive Officer was prejudiced against him as he had approached the Civil Court.
 - (x) A large family is depended on him. On account of the termination of his services the whole family is starving. The punishment inflicted on him is very severe and uncalled for. The termination order be set aside.
6. The Cantonment Executive Officer has filed written statement and rejoinder at Ex. 2/E.
7. According to the Cantonment Executive Officer :—
- (i) Shri Shyamlal Baldi Barse is not a workman within the provisions of the I.D. Act. As there is no industrial dispute this Tribunal has no jurisdiction to entertain the dispute and the reference is not tenable.
 - (ii) The employee absented himself from duty from 18-3-1970 i.e. even prior to filing of Suit by him till 1-5-1970 without sanction of leave to him. He only applied for Casual leave for four days from 19-3-1970 to 22-3-1970 and the same was sanctioned. He again started absenting himself from 7-7-1970 i.e. even after the injunction had been vacated by the Court till 23-1-1972 without sanction of leave. The employee was not allowed to join duty pending enquiry in the matter of his wilful absence from his duty. It was necessary for the workman to explain his long unauthorised absence before he could be taken back on duty. He had deliberately absented himself knowing fully well that the injunction had been vacated. Hence disciplinary proceedings against the workman were initiated.
 - (iii) A charge-sheet was served on him vide office letter No. 670-11/6250 dated 13-5-1972 and the workman submitted his written statement in defence by his letter dated 7-6-1972. The competent authority under the statutory rules governing the service of the Workman to give punishment to the workman was the Cantonment Executive Officer. An elaborate enquiry into the charges against the workman was held by the Cantonment Executive Officer during which the workman was given every opportunity to put forth his defence. As a result of the said enquiry the Cantonment Executive Officer found that the workman had absented himself from duty from 18-3-1970 to 1-5-1970 and again from 7-7-1970 onwards. The workman was found guilty of wilful absence from duty without any permission and sanction from the competent authority. The workman was asked to show cause as to why his services should not be terminated. The workman replied by his letter dated 24-8-1972. After considering the same the Cantonment Executive Officer terminated the services of the employee with effect from 12-9-1972.
 - (iv) Against this termination order the workman appealed to the Cantonment Board under rule 13(1) of the Cantonment Fund Servants Rules 1937. The Board carefully considered the appeal and rejected the same by its Resolution No. 17 of 21-11-1972. The Cantonment Fund Servants Rules 1937 which were the statutory rules governing the service of the workman provided for remedy of departmental appeal against the decision of the Board to the GOC-in-C of the Command and further appeal against the decision of the GOC-in-C to the Central Government. If the workman was aggrieved by the decision of the Board rejecting his appeal against the order of termination of his service, he should have appealed to the GOC-in-C of the Command which he never did.
8. The Cantonment Executive Officer in his rejoinder has denied the contentions raised by the workman in his written statement, giving explanation.
9. The workman has examined himself at Ex. 18/W. He has produced documents as mentioned below :—
- (i) Letter No. 671-VI/4471 dated 15-7-1970 from the Cantonment Executive Officer.
 - (ii) Copy of application dated 3-8-1970.
 - (iii) Copy of application dated 11-8-1970 Ex. 3/F.
 - (iv) Copy of letter dated 23-1-1972 Ex. 19/W.
10. The Board has produced documents as mentioned below :—
- (i) Record showing viz. Suspension and punishment of withholding of increment Ex. 4/E.
 - (ii) Show Cause notice Ex. 5/E.
 - (iii) Workman's reply dated 24-1-72 with joining report Ex. 6/F.
 - (iv) Reply of workman dated 24-8-1972, Ex. 7/E.
 - (v) Written statement dated 7-6-72 in defence by the workman Ex. 8/E.
 - (vi) Workman's letter dated 11-8-70 informing the decision to remain absent Ex. 9/E.
 - (vii) Charge Sheet dated 13-5-1972 Ex. 10/E.
 - (viii) Order of termination of service dated 12-9-72 Ex. 11/E.
 - (ix) Letter of Cantonment Executive Officer to the workman dated 2-5-1972 calling for departmental enquiry for wilful absence from duty and refusing to take on duty Ex. 12/E.
 - (x) Papers of departmental enquiry held by the Cantonment Executive Officer Ex. 13/E.

- (xi) Copy of Resolution of the Board dated 21-11-1972 Ex. 14/E.
- (xii) Copy of Court's judgement Ex. 15/E.
- (xiii) Copy of injunction order and its vacation order with copy of plaint, Ex. 16/E.
- (xiv) Findings of the oral enquiry held by the Cantonment Executive Officer at Ex. 17/E.
- (xv) Pursis dated 27-4-1974 saying that the Cantonment Board does not want to adduce evidence in its behalf at Ex. 20/F.
- (xvi) Pursis dated 27-4-1974 clarifying the meaning of disobedience of order as stated in Charge No. 2 at Ex. 21/E.

11. Pursis Ex. 21/E is as follows :—

"Disobedience of order as stated in Charge No. 2, I mean that though the injunction order of the Court was vacated and appeal also dismissed the workman did not join the duties."

12. From the pleadings and documents on record the following points arise for consideration.

- (i) Whether the reference is tenable.
- (ii) Whether the enquiry held against the workman was proper and fair?
- (iii) Whether the enquiry held against the workman is vitiated?
- (iv) Whether the termination of services of Shyam Lal Baldi Barse, Sweeper, Cantonment Board Kamptee, Dist. Nagpur (Maharashtra State) is justified?
- (v) If not, to what relief the workman is entitled to?
- (vi) What order?

13. My findings are as follows :—

- (i) Yes.
- (ii) No.
- (iii) Yes.
- (iv) No.
- (v) Entitled to reinstatement in service with effect from 12-8-1972 with back wages.
- (vi) As per order.

REASONS

Point No. 1

14. It is contended on behalf of the Cantonment Board that Shri Shyam Lal Baldi Barse is not working in an industry, that he is not a workman within the meaning of Section 2(s) of the I. D. Act, 1947 and that the reference is not tenable.

15. Admittedly Shri Shyam Lal Baldi Barse was employed in the Cantonment Board, Kamptee in the year 1958. He worked as Sweeper till 21-7-1969. Thereafter he was promoted as Conservancy Jamadar and worked as Conservancy Jamadar from 22-7-1969 to 17-3-1970. He was then reverted as Sweeper with effect from 18-3-1970. It means that at the time of termination of his service he was a Sweeper.

16. The expression 'workman' given in Section 2(s) of the I. D. Act, 1947 means any person (including an apprentice) employed in any industry to do any skilled or unskilled manual, supervisory, technical or clerical work for hire or reward, whether the terms of employment be express or implied, and for the purpose of any proceeding under this Act in relation to an industrial dispute, includes any such person who has been dismissed, discharged or retrenched in connection with, or as a consequence of, that dispute or whose dismissal, discharge or retrenchment has led to that dispute.

17. The Cantonment Board has been included in Section 2(a)(i) of the I. D. Act, with effect from 19-12-1964 by S. 2 of the Industrial Disputes (Amendment) Act, 1964 (36 of

1964). It is therefore clear that the Cantonment Board is an industry in respect of which the Central Government is the appropriate Government. The Central Government can refer the dispute existing between the Cantonment Board which is clearly an industry and its employees to the Tribunal for adjudication.

18. As the Cantonment Board has been included under Section 2(a)(i) of the I. D. Act, it is clear that Shri Shyam Lal Baldi Barse who was working as Sweeper in the Cantonment Board was a workman employed in the industry.

19. In the present case Shri Shyam Lal Baldi Barse's services have been terminated by the Cantonment Board. He has therefore raised an industrial dispute regarding the termination of his service under Section 2A of the I. D. Act, such a dispute shall be deemed to be an industrial dispute notwithstanding that no other workman nor any union of workmen is a party to the dispute.

20. It is contended that after the Cantonment Board dismissed the appeal of Shri Shyam Lal Baldi Barse, it was necessary for him to prefer appeal against the decision of the Board to GOC-in-C of the Command and that if the same would have been dismissed it was necessary for him to make appeal to the Central Government. It is further contended that inasmuch as Shri Shyam Lal Baldi Barse has not taken recourse to these remedies this reference is not tenable. I am unable to accept this contention.

21. If more than one remedy is provided it is for the aggrieved party to decide what remedy he should take. There is no provision in the I. D. Act which lays down that an industrial dispute should not be raised unless all other remedies available to the aggrieved party are exhausted. In the absence of such a specific provision contention raised by the Cantonment Board in this respect fails.

22. In short, considering Sections 2(a)(i), 2(s) and 2A of the I. D. Act, I am convinced that Shri Shyam Lal Baldi Barse was a workman working in an industry i.e. Cantonment Board and this tribunal has jurisdiction to entertain the dispute between the Cantonment Board and Shri Shyam Lal Baldi Barse, regarding his termination of service.

23. For the reasons given above, I hold that the present reference is tenable and this Tribunal has jurisdiction to entertain the same. Hence my finding on point No. 1 is as above.

Point Nos. II and III

24. It is common ground that after Shri Shyam Lal Baldi Barse was reverted from the post of Conservancy Jamadar, he had filed Civil Suit (Regular Civil Suit No. 274 of 1970) against the Cantonment Board for declaration and injunction, that in that Suit he had prayed for temporary injunction and the same was given to him. The temporary injunction was vacated on 4-7-1970 and the Suit was dismissed on 17-1-1972.

25. For the first time on 21-1-1972, the Cantonment Executive Officer issued Show Cause Notice to Shri Shyam Lal Baldi Barse asking him to show cause as to why his services should not be terminated as he continuously absented himself from 7-7-1970 without any sanction or permission (vide copy at Ex. 5/E).

26. It appears from the facts on record that the Cantonment Board did not take any action against Shri Shyam Lal Baldi Barse for his alleged absence without permission or sanction since 1970 till 21-1-1972.

27. Show Cause Notice Ex. 5/E issued by the Cantonment Executive Officer Shri K. R. A. N. Iyer shows that he had made up his mind to terminate the services of Shri Shyam Lal for his absence from duty from 7-7-1970.

28. Shri Shyam Lal Baldi Barse gave reply to this show cause notice on 24-1-1972 (vide Ex. 6/E). It appears that the Cantonment Executive Officer issued charge sheet against Shri Shyam Lal Baldi Barse in respect of two counts viz. Wilful absence from duty and disobedience of the Board's order (vide Annexure 'A' to Ex. 10/E). It means that the

Cantonment Executive Officer who had already made up his mind to terminate the services of Shri Shyamlal Baldi Barse decided to hold department enquiry against him, framed chargesheet and issued the same to him.

29. The Cantonment Executive Officer held departmental enquiry against Shri Shyamlal, in that department enquiry he examined witnesses and gave his findings on 3-8-1972 (vide Ex. 17/F). The same Cantonment Executive Officer issued notice to Shri Shyamlal calling upon him to show cause against the proposed punishment of termination of service. Shri Shyamlal Baldi Barse gave his explanation (vide Ex. 7/E). The Cantonment Executive Officer considered his explanation and terminated his services with effect from 12-9-1972 (vide order Ex. 11/F).

30. As the Cantonment Executive Officer had already made up his mind to terminate the services of Shri Shyamlal Baldi Barse before holding department enquiry against him and as he played the role of both Prosecutor and Judge, the enquiry held by him cannot be said to be proper and fair. It is clearly in violation of the principles of natural justice. The principles of natural justice require that the Enquiry Officer should be unbiased and disinterested person.

31. Annexure A to Ex. 10/E shows that there were two charges against Shri Shyamlal Baldi Barse viz. (1) Wilful absence from duty for the period from 18-3-1970 to 1-5-1970 and from 7-7-1970 onwards (2) Disobedience of the orders of the Board.

32. As regards charge regarding disobedience of the orders of the Board, it is vague and indefinite. There is no document on record to show that specific order was served on Shri Shyamlal Baldi Barse and that he disobeyed the same.

33. Findings Ex. 17/G of the Cantonment Executive Officer do not specifically mention as to what particular order Shri Shyamlal Baldi Barse has disobeyed.

34. Findings of the Enquiry Officer are as follows:—

"From the testimony of Kalloo Jamadar, Shri D. B. Sawarkar and examination of Shri Shyamlal himself it is clear that Shri Shyamlal S/o Baldi absented himself with effect from 18-3-1970 to 1-5-70 and again from 7th July, 1970. It is also confirmed that he has wilfully absented himself without any permission and sanction from proper authorities."

35. In the termination order dated 12-9-1972, Ex. 11/E it is mentioned as follows:—

"...Therefore, for the reasons given in the findings and after due consideration of all the points, raised by you in reply to the show cause notice it is found that the charges against you have been proved. However, instead of dismissing you from service a lenient view is taken to terminate your services with effect from 12-9-72."

36. It appears that the Cantonment Executive Officer while inflicting the punishment on Shri Shyamlal had in his mind both the charges including the charge of disobedience of the orders of the Board and that he should be punished on both the counts. In fact there is no finding regarding these obedience in his findings Ex. 17/F.

37. It also appears from the proceedings of the ordinary Board meeting held on 21-11-1972 (copy Ex. 14/E) that the Board also took a view that "The individual was charge-sheeted vide this office letter No. 670-II/6250 dated 13th May 1972 for wilful absence from duty and for disobedience of orders of the Board. A detailed enquiry was conducted and the findings were duly recorded." Both the charges were held proved by the Enquiry Officer.

38. It appears from these facts that the principles of natural justice were violated and that the enquiry was not proper and fair.

39. As the departmental enquiry held against Shri Shyamlal was not proper and fair and as the principles of natural justice were violated the same is vitiated. Hence my finding on point Nos. ii and iii are as above.

39 GI/74- 5

Point Nos. iv and v

40. The next point for consideration is whether the termination of service of Shri Shyamlal with effect from 12-8-1972 by the Cantonment Executive Officer was justified.

41. In the departmental enquiry three witnesses were examined before the Enquiry Officer. They were S/shri Rattan, Kalloo Jamadar, D. B. Sawarkar. Shri Shyamlal's statement was also recorded.

42. It appears from the enquiry findings Ex. 17/E that the enquiry officer rejected the evidence of Shri Rattan. He however accepted for evidence of Shri Kalloo and Shri Sawarkar and held the charges against Shri Shyamlal proved.

43. Shri Shyamlal was working under Shri Rattan. Shri Rattan's evidence corroborates Shyamlal's version. Shri Rattan says in his evidence that Shyamlal's leave was sanctioned 3-4 times, that Shri Shyamlal's leave was sanctioned first in March and that thereafter in June or in July.

44. As Shri Shyamlal was working under Shri Rattan, Shri Rattan had every reason to know about Shri Shyamlal. His statement should not have been rejected.

45. It may be noted that on the first day of hearing before me at Nagpur Shri Shyamlal was examined at Ex. 18/W. On the next day Counsel for the Cantonment Board gave pursis saying that it did not want to lead evidence on its behalf. It relied only on records produced in the Court.

46. Shri Shyamlal's evidence before me shows that he had applied for one months leave as he wanted to go to Amravati but he was informed by the Board that as no leave was in his credit he will get leave without pay.

47. Reply received from the Cantonment Board bearing No. 671/V/4471 dated 15-7-1970 is produced in this case by Shri Shyamlal alongwith list dated 24-12-1973.

48. Shri Shyamlal's evidence shows that this reply referred to above was in reply to his application dated 7-7-1970. He has also produced a copy of letter bearing the receipt of the despatcher alongwith the list dated 24-12-1973. He has also produced a copy of letter dated 11-8-1970 sent to the Cantonment Executive Officer at Ex. 3/W. The Cantonment Board does not admit letters dated 15-7-1970 and copy of letter dated 3-8-1970.

49. The letter dated 15-7-1970 bears the signature of the Cantonment Executive Officer Shri C. K. Choudhary. It refers to the leave application dated 7-7-70. By this letter Shri Shyamlal was informed that he can avail of leave without pay.

50. Copy of letter dated 3-8-1970 bearing the signature of the despatcher refers to the letter dated 15-7-1970. He informed the Board that he had given application on 7-7-70 and that para-2 in the letter dated 15-7-1970 was not clear, for not granting leave when the leave is in his credit.

51. It is contended on behalf of the Cantonment Board that the letter dated 15-7-1970 and 3-8-70 should not be held proved as they were not produced during the enquiry proceedings and as there was no reference to this correspondence in the explanation given by Shri Shyamlal.

52. It may be that Shri Shyamlal might not have produced these documents in the enquiry proceedings and not referred to them in the explanation, due to ignorance.

53. Shri Shyamlal's evidence Ex. 18/W speaks about the two documents referred to above. As against this evidence, there is no sworn testimony on behalf of the Cantonment Board before me. There is therefore no reason to reject Shri Shyamlal's testimony in respect of the two documents referred to above.

54. Shri Shyamlal had specifically informed the Board by his letter dated 11-8-1970 Ex. 3/W that he would not attend the duty till his case was finally decided. In spite of this, the Cantonment Board did not take any immediate action against Shri Shyamlal for his alleged absence from duty with effect from 18-3-70 to 1-5-70 and from 7-7-1970 till 21-1-72. This shows that by implied consent, the Board allowed Shri Shyamlal to remain absent from duty.

55. The circumstance that the Cantonment Executive Officer did not take any immediate action against Shri Shyam-lal, for his alleged absence, without permission and sanction supports Shri Shyam-lal's version that the Cantonment Executive Officer had allowed him leave without pay. Otherwise the Cantonment Executive Officer would not have kept quite for such a long time.

56. It appears that Shri Shyam-lal did not like to resume duty because he was reverted from the post of Conservancy Jamadar to the post of Sweeper by the Cantonment Board and because Shri Shyam-lal had filed regular Civil Suit for declaration that he was entitled to continue as Conservancy Jamadar. After his Suit was dismissed on 17-1-1972, he reported for duty to the Cantonment Board on 24-1-1972, but he was not allowed to resume duty and subsequently departmental enquiry was held against him.

57. The circumstance that Shri Shyam-lal had filed Civil Suit against the Board and obtained temporary injunction, was no ground for the Board for not taking action against Shri Shyam-lal, if he had remained absent from duty without permission or sanction. Failure on their part to do so indicates that the Board had given consent for his absence.

58. If the evidence of Shri Rattan, Shri Kalloo, Shri Sawarkar and Shri Shyam-lal is considered in the light of the circumstance referred to above, it will be clear that Shyam-lal had not remained absent with effect from 18-3-70 to 1-5-70 and again from 7-7-70 onwards without permission or sanction. If he had not remained absent from duty without sanction or permission, his termination of service on this count and on the count of alleged disobedience of the orders of the Board cannot be sustained. It cannot be said that termination of the service of Shri Shyam-lal was justified. As the same is not justified, he is entitled to re-instatement with continuity of service and back wages from the date of termination of service. Hence my findings on point Nos. iv and v are as above.

Point No. vi.

59. In view of the above findings, I pass the following order :—

(i) It is hereby declared that the termination of services of Shri Shyam-lal Baldi Barse, Sweeper, Cantonment Board, Kamptee, District Nagpur (Maharashtra State) is not justified and he is entitled to reinstatement with continuity of service and back wages from 12-9-1972.

(ii) Award is made accordingly.

(iii) No order as to costs.

[F. No. L-13012/1/73 AR I]

N. K. VANI, Presiding Officer

New Delhi, the 21st June, 1974

S.O. 1698.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following arbitration award of Shri Shyam Krishna Arbitrator in the industrial dispute between the employers in relation to the Cantonment Board, Bareilly Cantonment and their workmen represented by the Cantonment Labour Union, Bareilly which was received by Central Government on the 14th June, 1974.

BEFORE SHRI SHYAM KRISHNA, REGIONAL LABOUR COMMISSIONER (CENTRAL), KANPUR-ARBITRATOR.

Arbitration Award under Section 10A of the Industrial Disputes Act, 1947 in the matter of industrial dispute between the management of Cantt. Board Bareilly and their workmen represented by Cantt. Labour Union, Bareilly.

PRESENT :

Shri Shyam Krishna, Regional Labour Commissioner (Central) Kanpur-Arbitrator

(a) Representing the Cantt. Labour Union, Bareilly,

1. Sri Mohd. Farid, President.

2. Sri A. C. Malhorta, Vice-President.

3. Sri Pyare Lal, Secretary.

(b) Representing the management of Cantt. Board, Bareilly.

1. Sri A. P. Singh, Cantt. Executive Officer.

AWARD

By an arbitration agreement dated 15th March, 1974 published in the Gazette of India part II Section, 3, Sub-Section II as per Government of India in the Ministry of Labour Orders No. L-13011/1/73-LR. I dated 18th April, 1974, parties above named referred the following specific matters in the dispute to my arbitration under Section 10A of the Industrial Dispute Act, 1947. The agreement *inter alia* provided that the decision of the arbitrator shall be binding on them :

"Whether the action of the management of Cantonment Board, Bareilly Cantonment in retiring the following eleven sweepers/sweepresses with effect from the 20th May, 1972 was justified? If not, to what relief the affected workmen are entitled?"

Names :

1. Shri Itwari S/o Shri Gidai.
2. Shri Chiroojee S/o Shri Babu.
3. Shri Govind S/o Shri Phool Chand
4. Shri Baboo S/o Shri Sukhi.
5. Shri Rama S/o Shri Chiddu.
6. Shri Pusey S/o Shri Gidai.
7. Shrimati Dulari W/o Shri Chotey.
8. Shri Shyam Lal S/o Shri Kalbo.
9. Shri Jhanku S/o Shri Khamani.
10. Shrimati Rama W/o Shri Sukhi.
11. Shrimati Changia W/o Shri Kewal.

The Cantt. Executive Officer, Cantt. Board Bareilly and the President Cantt. Labour Union, Bareilly (hereinafter called as 'Management' and 'Union' respectively) were requested vide my letter No. K. 104(14)/73 dated 30-4-1974 to furnish me a self contained statement of their case within 10 days of the receipt of the aforesaid letter endorsing simultaneously a copy thereof to the opposite party, they were further requested that on receipt of a copy of the statement from the opposite party they should furnish their comments thereon within 5 days of its receipt endorsing a copy simultaneously to other party. The Union submitted a statement of their case vide letter dated 13-5-1974, with a copy to the management. The Management did not send rejoinder to the union till 6th June, 1974. On 6th June, 1974 the management however filed rejoinder under letter dated 5th June, 1974 a copy of which was made over to the union on 6th June, 1974.

18-5-1974, 28-5-1974 were fixed as dated for hearing but on account of other engagements, no hearing could take place. Thereafter hearing was proposed to be held on 30-5-1974 but the case could not be proceeded with as the management was absent, although the union was present. The hearing was finally held on 6th June, 1974.

In the statement of demands dated 13-5-1974 the union have stated that the retiring of the sweepers sweepresses under reference after obtaining report from the Medical Officer which was vague and collectively signed in routine mentioning the age of the workers at random without mentioning reasons or data or basis thereof was not correct. The management took this action on plea that the service books of the individuals were not available, which was not correct and concealment of the facts as the service book/service rolls of the workmen were available in the management's office. It was alleged that the management did not knowingly bring the fact to the notice of the Cantt. Board that the responsibility for the maintenance/safe custody of the service books solely lay on Executive Officer and his staff. In view of this for the negligence of its own and his office, the workmen could not be penalised. Therefore the action of the management was not justified and lawful in retiring the workmen under reference before the date of superan-

nuation especially when they were illiterate and deserved sympathy and full justice.

In the rejoinder dated 5th June, 1974, the management have stated, *inter alia*, that it was wrong on the part of the union to allege that the eleven sweepers/sweepresses were discharged before attaining the age of superannuation. The report of the Medical Officer of the Cantonment Board Bareilly was vague unreliable, is not correct. The decision rested on the recommendations of the Medical Officer-in-charge, Cantt. General Hospital, Bareilly Cantt. which could not be challenged at this stage. The Medical Officer is an Army Officer and that no objection had been raised by the workers for producing themselves before him for medical examination. The management also denied that the Cantt. Executive Officer concealed the truth or misled the board. The service records of the employees under reference were either not traceable or incomplete and sufficient opportunity had been given to the workmen to produce whatever documentary evidence they could produce in support of their age and they failed to do so. All possible opportunities had been given to these employees to furnish proof of their age and when they failed to do so after getting the medically examined by the Medical Officer and finding age above 58 years were superannuated. Not only this under Rule 20 of the Cantonment Fund Servants Rules, 1937 it was the duty of every servant to see that service book is properly kept and that the entries on the first page are attested every five years. On being superannuated some of the employees represented to the President of the Board who met each one of them and finally on 26-10-1972 the President passed an order that the discharge was correctly ordered based on the age report of the Medical Officer.

During the hearing on 6th June, 1974 after going through the management's rejoinder the union was of the view that the management's contention that the service records of the employees under reference were either not available or incomplete had no meaning on the face of Rules 17 and 18 of the Cantonment Fund Servants Rules, 1937 which say that service books shall be maintained in the form prescribed in the Civil Services Regulations and shall be supplied to every such servant at his own cost on his first appointment. These rules further say that the service books shall be kept in the custody of the Executive Officer and may be given up to the servant if he resigns or is discharged without fault, an entry being first made therein to this effect. At no stage the service books were made over to the employees concerned. The union further argued that the management's contention that the employees under reference had been retired from service on having attained the age of superannuation i.e. 58 years w.e.f. 20-5-1972 after obtaining medical report from the Medical Officer-in-charge Cantt. General Hospital Bareilly is not free from doubt for the reasons that the employees under reference were never asked by the management to produce themselves before the Doctor for medical examination. In fact the employees were never sent to the Doctor for medical examination and the management arbitrarily retired them on obtaining so called medical report from the Medical Officer. Moreover there was no question of getting the age verified at this distant date all of a sudden. The date of birth is such an important item in the service of a man that it should have been authenticated and recorded and maintained by the management in the beginning of employees service. It was informed by the union that Sri Itwari S/o Sri Gidai had died.

During the hearing the management stated that they had no letter to show that the employees under reference had been referred by him to the Medical Officer, Cantt. General Hospital Bareilly for medical examination and verification of their age. The management admitted that it was their responsibility to maintain the service records complete in all respects, but in the instant case for one reason or the other they did not have service records in respect of S/Sri Rama S/o Chiddu, Pusey S/o Gidai, Jhanku S/o Khamani, Smt. Rama (Rabba) W/o Sri Sukhi and Smt. Changia W/o Kewal.

Now coming to the merits of the case, I have to state that I am required to answer only one issue that whether the action of the management of Cantt. Board Bareilly in retiring eleven sweepers/sweepresses under reference w.e.f. 20-5-1972 was justified and not to what relief the concerned workmen were entitled. In this connection it is necessary for me to examine the following two issues arisen out of the main issue:

1 As to whose responsibility it is to maintain service records indicating dates of birth of employees.

2 Whether the action of the management in getting the age verified by the Medical Officer, Cantt. General Hospital, Bareilly at such distant date near the so called date of superannuation and that too in the manner done was correct.

So far as issue No. 1 as to whose responsibility it is to maintain service records indicating dates of birth of employees is concerned, I am of the view, after examining all the documentary and oral evidences placed before me that keeping in view principle of natural justice and responsibility of employer laid down in Rules 17 and 18 of the Cantonment Funds Servants Rules, 1937, it was sole responsibility of the Cantt. Executive Officer, Bareilly Cantt. to maintain the service books/service rolls properly and complete in all respects according to the law indicating the date of appointment of employees and in which the management have failed. Not only this the service books at no stage had been given to the employees concerned.

As regards issue No. 2 whether the action of the management in getting the age verified by the Medical Officer, Cantt. General Hospital, Bareilly at such distant date near the so called date of superannuation and that too in manner was correct, "is concerned." after considering all the facts before me I am inclined to rely of the statement of the union that the Medical Officer's report under reference was vague and without any substantial basis. The principle of determining the age by the Medical Officer by appearance does not appear to be correct. I think age should have been determined by the Medical Officer after physical examination of the employees concerned. The cause of verification of the age by this process just at the far end of the service of the employees could not be explained to me by the management during the hearing or in the rejoinder. Thus it appears that this action had been taken by the management in a hurried non-methodical and arbitrary manner.

Now coming to the main issue, in view of the above facts, I am of the view that the action of the management in retiring S/Shri Chiroojee S/o Babu, Govind S/o Phool Chand, Baboo S/o Sukhi Rama S/o Chiddu, Pusey S/o Gidai, Smt. Dulari W/o Chotey, Shyam Lal S/o Kalloo, Jhanku S/o Khamani, Smt. Rama W/o Sukhi and Smt. Changia W/o Kewal (one Sri Itwari S/o Sri Gidai had been died) is not justified and they are entitled to following relief:

1. The management within 2 months from today shall get S/Sri Chiroojee S/o Babu, Govind S/o Phool Chand, Baboo S/o Sukhi Rama S/o Chiddu, Pusey S/o Gidai, Smt. Dulari W/o Chotey, Shyam Lal S/o Kalloo, Jhanku S/o Khamani Smt. Rama W/o Sukhi and Smt. Changia W/o Kewal medically examined by the Civil Surgeon Bareilly at its own cost to determine their age. The workmen whose age comes out to be less than 58 years on 20-5-1972 as per age determined by the Civil Surgeon, should be paid salary for the period 20-5-1972 till the newly determined age of superannuation at the rate he was getting prior to 20-5-1972. The said workmen will however be provided jobs for the remaining period till they attain the newly fixed superannuation date if it happens to be in future.
2. Payment as per clause I should be made to the employees concerned within 3 months from 7-6-1974.
3. Those employees whose age is determined to be 58 years on 20-5-1974 by the Civil Surgeon, Bareilly will not have any claim their cases will be deemed to have been closed.

1 award accordingly.

[L-13011/1/73-LRI]
SHYAM KRISHNA, Regional Labour Commissioner
(Central) Kanpur & Arbitrator

New Delhi, the 28th June, 1974

S.O. 1699.- In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following arbitration award of Shri A. N. Roy, Arbitrator in the industrial dispute between the employers in relation to the United India Fire and General

Insurance Company Ltd., Asansol and their workmen represented by the General Insurance Employees' Association, Eastern Zone, Calcutta which was received by Central Government on the 24th June, 1974.

BEFORE SHRI A. N. ROY, ARBITRATOR.
Arbitration in industrial dispute
BETWEEN

'The management in relation to the United India Fire & General Insurance Company Ltd., Asansol and their workmen represented by the General Insurance Employees' Association, Eastern Zone.
Calcutta.

PRESENT :

Shri A. N. Roy, Arbitrator.

APPEARANCE :

For the employers.

- (1) Shri F. Subramaniam, Officer-in-charge, United India Fire and General Insurance Co. Ltd., Unit:—Union Co-operative.
- (2) Shri S.D. Rao, Accountant, United India Fire and General Insurance Co. Ltd.

For the workmen.

- (1) Shri Bhupen Das, General Secretary, General Insurance Employees' Association, Eastern Region.
- (2) Shri M. L. Mukherjee, Joint Secretary, General Insurance Employees' Association, Eastern Region.

ARBITRATION AWARD UNDER SECTION 10A OF THE INDUSTRIAL DISPUTES ACT, 1947

By an Arbitration Agreement dated 19-7-73 under sub-section (1) of Section 10A of the Industrial Disputes Act, 1947 (14 of 1947) signed by Shri S. K. Roy on behalf of the management and Shri Mohanlal Mukherjee on behalf of the workmen, the following matters were referred for my arbitration:—

Specific matters in dispute :

- “(1) Whether the management of United India Fire and General Insurance Company Limited, Units Union Co-operative, 2, Brabourne Road (3rd floor), Calcutta-1 were justified in terminating the services of Shri Shanti Kumar Mondal, sub-staff-cum-driver, working in Asansol Office of the said Company? If not, to what relief Shri Shanti Kumar Mondal is justified?
- (2) If not, whether Shri Mondal is entitled to be reinstated to his former post and if so, from what date?
- (3) Whether Shri Mondal is also entitled to any compensation for the period of his unemployment?”

2. The Government of India in the Ministry of Labour and Rehabilitation (Deptt. of Labour and Employment) in pursuance of the provisions of sub-section (3) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947) published the said Arbitration Agreement in the official Gazette vide Notification No. L-17012/16/73-LR.I, dated 7-9-73.

3. After the reference was made, usual notices were issued to the parties inviting their written statements. The management and the General Insurance Employees' Association (Eastern Region) applied for extension of time to file written statements. The management submitted their written statements on 23-11-73 and the Association on 14-12-73.

4. In the instant dispute Shri S. K. Mondal had been appointed in a leave vacancy with effect from 24th May, 1970, as a driver on daily wages basis. From the month of June, 1970, onwards till 12th October, 1970, Shri Mondal continued to work as a driver on daily wages basis although he had been working for all the 30 days in a month. The employment of Shri Mondal had been duly approved by the Zonal Manager of the Union Co-operative Society Limited, Calcutta. Shri Mondal had again been in continuous service with effect from 25th October, 1970, till 31st May, 1971, as a driver. On 13-5-71 the Zonal Manager of the above-named Insurance Society issued a regular appointed letter to Shri

Mondal as sub-staff-cum-driver in the services of the above Society with effect from 1st June, 1971, in the grade of Rs. 85 to Rs. 260 and his basic pay was fixed at Rs. 85 p.m. and as D.A. Rs. 106.55. The Zonal Manager vide his letter dated 16-6-71, in partial modification of the appointment letter, dated 13-5-71, raised his total salary to Rs. 191.55. Thereafter, the Zonal Manager of the Society vide his letter dated 4-9-71 withdrew the letter of appointment dated 13-5-71, in terms of the order made by the Custodian of the Society after reviewing the case from different aspects. The President of India issued an Ordinance namely the General Insurance (Emergency Provisions) Ordinance in 1971, providing for the taking over in the public interest of the management of General Insurance business is pending nationalisation of such business. The Ordinance was subsequently substituted by the General Insurance (Emergency Provisions) Act, 1971 which came into force with effect from 13-5-71. Sub-section (3)(f) of Section 3 of the General Insurance (Emergency Provisions) Act, 1971 reads as under:—

“No insurer shall, without the previous approval of the person specified by the Central Government in this behalf in respect of that insurer (hereinafter referred to as the “authorised persons”) entered into any contract of service or agency, whether expressly or by implication, for purposes connected wholly or partly with the undertaking or vary the terms and conditions of any such contract subsisting on the appointed day”.

5. During the course of discussions in the hearing held on 12-6-74 the representative of the management stated that the termination of the services of Mr. S. K. Mondal was legal and proper and he was not entitled to any relief. He further stated that Shri S. K. Mondal had filed a Writ petition under Article 226 before the Calcutta High Court on 23-12-71 and the Hon'ble High Court issued a rule injunction the Custodian and others from given effect to the letter of withdrawal of the appointment with the result Shri Mondal continued in the services of the Society—his appointment being restored *status-quo-ante*. He also added that the Society moved against this rule and the rule was set aside on 18-6-73 thereafter giving effect to the Society's letter of withdrawal of appointment dated 4-12-71. The Society terminated the services of Shri S. K. Mondal vide its letter dated 21-6-73.

6. On the other hand, the representative of the Association argued that the action of the management was illegal and improper and he should be reinstated in service from 21-6-73, the date of his termination of services.

7. However, the management and the Association prayed for time to explore the possibilities of resolving the matter mutually and in course of the hearing held on 12-6-74 filed a copy of minutes of discussions duly signed by their representatives who verified the same before me and prayed for making an award on the basis of the terms of agreement embodied in the above mentioned minutes.

8. I have carefully perused and considered the terms of agreement in the light of the reference and the arguments put forward by the parties in their written statements and I find that the terms now agreed upon are quite fair and reasonable. There is no reason why an award shall not be made in terms and conditions of the agreement and I make the award accordingly. The agreement shall form a part of the award and is attached thereto as Annexure 'A'.

A. N. ROY, Arbitrator,
and

Regional Labour Commissioner (Central)
Calcutta.

Dated, Calcutta,

the 18th day of June, 1974.

ANNEXURE-A.

In the matter of an Industrial Dispute between the United India Fire and General Insurance Co., Ltd., Unit: “Union Co-operative”, Asansol, and its workmen represented by the General Insurance Employees' Association, Eastern Region, Calcutta-12, regarding the alleged termination of services of Mr. Shanti Kumar Mondal, Sub-staff-cum-driver at Asansol of the Company.

Minutes of the Meeting held at the office of the United India Fire and General Insurance Co., Ltd., Unit : “CONCORD”

38, Chowringhee Road, Calcutta-16, on the 6th of June 1974, when the following were present:

Representing :—

General Insurance Employees' Association, Eastern Region—Mr. Bhupen Das, Mr. Mohanlal Mukherjee, Mr. Amulya B. Choudhury, Mr. Anil Mukherjee, Mr. Rabin Ghosh.

Representing Management—Mr. R. Radhakrishnan, Mr. G. Basu, Mr. K. P. Banerjee, Mr. S. S. Narasimban, Mr. P. Subramaniam.

Referring to the discussion Mr. Mohanlal Mukherjee had with Mr. K. P. Banerjee on the 4th June, 1974 regarding giving an appointment to Mr. Shanti Kumar Mondal, Mr. K. P. Banerjee informed the Association that the Management was prepared to stand by its commitment in giving an employment to Mr. Shanti Kumar Mondal at Ranchi Office of the Unit : UNION CO-OPERATIVE from the date Mr. Shanti Kumar Mondal joins duty. The Association was also informed that since an original commitment had been made to give an employment to Mr. Shanti Kumar Mondal from July 1973, the Management was prepared to consider for the purpose of Gratuity the period from July 1973 to the time Mr. Shanti Kumar Mondal joins duty at Ranchi. The Association requested the Management to consider giving the facility for the purpose of Gratuity from 1st January 1973 but the Management regretted its inability to concede to this request.

It was agreed between the parties i.e. the Association and the Management as follows :—

1. that Mr. Shanti Kumar Mondal be given an appointment of a Sub-staff at the Ranchi Office of the Unit : UNION CO-OPERATIVE from the date of his joining duty.
2. that for the purpose of Gratuity and Retiring benefits, the period from July 1973 to the date of Mr. Shanti Kumar Mondal joining duty at Ranchi shall be taken into account.
3. that having regard to the fact that Mr. Shanti Kumar Mondal was employed as a Sub-staff-cum-driver, during the time of fitment, his case shall be treated in the similar fashion as those of the other sub-staff-cum-driver members of the Unit : "UNION CO-OPERATIVE".
4. that the salary payable to Mr. Shanti Kumar Mondal would be that of the salary and other perquisites granted to other staff of the Unit : "UNION CO-OPERATIVE" at the start of their employment. This amounts to Rs. 257.85 (Rupees two hundred and fifty seven and paise eighty five only).
5. that should a vacancy arise in any of the following places, the Company shall consider the question of transferring Mr. Shanti Kumar Mondal to that place
 - (i) ASANSOL
 - (ii) BURDWAN
 - (iii) DURGAPUR
 - (iv) DHANBAD
 - (v) SURI
6. that the Minutes of the Meeting submitted to the Regional Labour Commissioner with a request that the Arbitration Proceedings be disposed of in terms of Clauses 1 to 5 of the Minutes.

Dated at Calcutta, the 8th day of June 1974.

Signed For and On Behalf of Management
Signed For & On Behalf of General Insurance Employees' Association Eastern Region.

Sd/-

Sd/-

8-6-74.

8-6-74

[No L 17012/16/73-LR1]
S. S. SAHASRANAMAN, Under Secy.

New Delhi, the 25th June, 1974

S.O. 1700.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial No. 2 Bombay, in the industrial dispute between the employers in relation to the management of Messrs Goa Minerals Private Limited, Mormugao (Goa) and their workman which was received by the Central Government on the 20th June, 1974.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY VII REFERENCE CGDT-2/13 of 1973

Employers in relation to the management of Messrs Goa Minerals Private Limited, Mormugao (Goa).

Their Workmen

PRESENT :

Shri N. K. Vani, Presiding Officer.

APPEARANCES :

For the Employers (i) Shri H. R. Bharné, Advocate.
(ii) Shri M. Lima Leitao, Director.

For the workmen—(i) Shri H. K. Sowani, Advocate.
(ii) Shri Gejanan Patil, Secretary.

INDUSTRY : Ports and Docks. **STATE :** Goa, Daman and Diu.

AWARD

By order No. L-36012/1/73-P & D dated 29-9-1973 the Government of India, in the Ministry of Labour and Rehabilitation (Department of Labour and Employment) in exercise of the powers conferred by clause (d) of sub-section (1) of section 19 of the I.D. Act 1947 (14 of 1947) referred to this Tribunal for adjudication an industrial dispute existing between the employers in relation to the management of Messrs Goa Minerals Private Limited, Mormugao (Goa) and their workmen in respect of the matters specified in the schedule as mentioned below :—

"SCHEDULE

"Whether the action of the management of Messrs Goa Minerals Private Limited, Mormugao harbour in terminating the services of their workman, Shri Vishnu B. Volvoikar, Sailor, employed in launch 'spunik' with effect from the 1st August, 1972, is justified." If not, to what relief is the workman entitled?"

2. On the receipt of this reference notices were issued to the parties. In pursuance of the notices both the parties appeared before me and filed their statements.

3. As the reference has been settled, it is not necessary to refer to the contentions raised by the parties in their written statements.

4. On 29-5-1974, Shri Gejanan Patil, Executive Committee Member, Goa Dock Labour Union and Shri Mario de Lima Leitao, Director, Goa Minerals Pvt. Ltd. entered into settlement and produced the terms of settlement at Ex. 5/EW.

5. The settlement Ex. 5/EW bears the thumb impression of Shri V. B. Volvoikar, employee, whose services were terminated by the Employers and the signatures of Shri H. R. Bharné and Shri H. K. Sowani, Advocates for the company and the Union respectively.

6. Shri V. B. Volvoikar, Ex. 6/W in his evidence before me admits the terms of settlement and to have received Rs. 237.50 in full and final settlement of his claims against the employers. Shri Gejanan Patil, Ex. 7/W proves the settlement and its terms.

7 By settlement Ex 5/EW, the workman Shri Volvoikar accepts the termination of his services by the Employers and does not press his demand for reinstatement, back wages and other demands concerned in the reference. The employers agree to pay to the workman Rs 237 50 in full and final settlement of his claim and pay the same amount

8 Considering the facts and circumstances of this case I find that the settlement Ex 5/EW is voluntary. It is fair and in the interest of both the parties. I accept the same and pass the following order —

ORDER

- (i) Award in terms of Settlement Ex 5/EW is made
- (ii) Settlement Ex 5/EW is to form part of the Award
- (iii) No order as to costs

N K VANI Presiding Officer

Bombay the 6th June 1974

BEFORE SHRI N K VANI, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO 2,

Camp PANAJI

Reference No C GI-2/13 of 1973

Goa Minerals Pvt Ltd

vs

Then Workman Shri V B Volvoikar

May It Please This Honble Tribunal

The parties to the above dispute have reached the following Settlement and they pray that an Award may be made in terms thereof

TERMS OF SETTLEMENT

1 The workman accepts the termination of his service by the Employer and does not press his demand for reinstatement back wages and other demands concerned in the above Reference

2 The Employer agrees to pay to the workman Rs 237 50 (Rupees two hundred and thirty-seven and Paise fifty only) in full and final settlement of his claims against the employer

3 The workman has been paid the above mentioned amount in cash and acknowledges the receipt thereof

FOR GOA DOCK LABOUR UNION

Sd/

(Gajanan Patil)

Executive Committee Member

FOR GOA MINERALS PVT LTD

Sd/

(Mário de Lima Leitao)
Director

LHTI of

(V B VOLVOIKAR)

Panaji,

29th May 1974

Witness 1 Sd/-

2 Sd/

[No L 36012/1/73 P&D]

V SANKAR NINGAM Under Secy

New Delhi the 28th June, 1974

SO 1701 In pursuance of section 17 of the Industrial Disputes Act 1947 (14 of 1947) the Central Government hereby publishes the following award of Shri W K Almelkar, Arbitrator and Presiding Officer, Industrial Tribunal Nagpur in the industrial dispute between the management of Ballar-

pur Sasti, Ghugus Collieries of Messrs Ballarpur Collieries Company Nagpur Hindustan Lalpeth Colliery, Post Office Chandrapur, and Chanda Rayatwari Colliery, Post Office Chandrapur District Chandrapur and their workmen which was received by the Central Government on the 20th June, 1974

BEFORE SHRI W K ALMELKAR B A, LL B

Arbitrator & Presiding Officer, Industrial Tribunal, Nagpur

Arbitration Case No 1 of 1972

Representing Employers

The General Manager,
Ballarpur Collieries Co.,
Bisesar House, Temple Road, Nagpur

The Chief Mining Engineer Hindustan Lalpeth Colliery
P O Chandrapur, Dist Chandrapur

The Agent Chanda Rayatwari Colliery P O Chandra-
pur, Dist Chandrapur

The Custodian Coal Mines Authority
Wardha Valley Coal Mines P O Ballarpur, Dist
Chandrapur

Representing Workmen

Shri S W Dhabe President, Maharashtra Pradesh
Rashtriya Koyala Khadan Kamgar Sangh, Walker
Road Nagpur

Shri G M Khode Working President Maharashtra
Pradesh Rashtriya Koyala Khadan Kamgar Sangh, Wal-
ker Road, Nagpur

Shri R C Pandey Vice President, Maharashtra Pradesh
Rashtriya Koyala Khadan Kamgar Sangh, P O Chandra-
pur Dist Chandrapur

Shri D P Kawadkar President
Maharashtra Colliery Workers Union Ballarpur Dist
Chandrapur

Shri I A Choudhari General Secretary
Maharashtra Colliery Mazdoor Sewa Mandal, Ballarpur,
Dist Chandrapur

Nos 4 and 5—Interveners

APPEARANCES

No one appears for—Ballarpur Collieries, Hindustan
Lalpeth Colliery & Chanda Rayatwari Colliery

Shri J D Sarmukddam Law Officer, appears for Coal
Mines Authority

Shri S W Dhabe appears for Maharashtra Pradesh
Rashtriya Koyala Khadan Kamgar Sangh None
appears for Maharashtra Colliery Workers Union
Ballarpur

& Maharashtra Colliery Mazdoor Sewa Mandal, Ballar-
pur

AWARD

The Management of Ballarpur Sasti and Ghugus Col-
lieries of the Ballarpur Collieries, Nagpur, Hindustan Lalpeth
Colliery of M/s Perfect Pottery Ltd P Chandrapur Dis-
trict Chandrapur and Chanda Rayatwari Colliery of M/s
Rambahadur Seth Shreeam Durga Prasad and the workmen
represented by the Maharashtra Pradesh Rashtriya Koyala
Khadan Kamgar Sangh, Nagpur have by a written agreement
dated 7 8 72 in pursuance of the provisions of sub-sec (1)
of Sec 10A of the Industrial Disputes Act 1947 voluntarily
referred their industrial dispute to arbitration by me and the
Government of India has in pursuance of the provisions of sub-
Sec (3) of Section 10A of the said Act published the said
arbitration agreement in the official Gazette

2. The specific matter in dispute between the parties and referred to my arbitration is as under :

"Whether the workmen of Ballarpur, Sasti, Ghugur, Hindustan Lalpeth, Chanda Rayatwari Collieries in Chandrapur District of Maharashtra State are justified in demanding variable dearness allowance @ Rs. 2.13 per day for the period from 1-4-72 to 14-8-72."

3. The Maharashtra Pradesh Rashtriya Koyala Khadan Kamgar Sangh, Nagpur, filed a statement of claim in justification of the demand made. It is stated that this union is a registered and recognised union of the workmen working in the Coal industry in the Maharashtra State. This reference is made in respect of payment of arrears of variable dearness allowance (hereinafter referred to as V.D.A.) as per the recommendations of the Central Wage Board for Coal Mining industry. The reference is about arrears prior to 15-8-72. It is pointed out that the recommendations of the Central Wage Board for the Coal Mining industry were accepted by the Government of India and were brought into force from 15-8-67. As per the said recommendations, the managements are required to pay V.D.A. to the workmen depending upon the rise and fall in the consumer price index number. The cost of living index is calculated as per Government directions and the rate of V.D.A. is fixed from time to time. Initially the V.D.A. was fixed at 78 N.P. per day. At the time of this agreement the rate of V.D.A. was Rs. 2.13 per day. The Employers Association has in fact recommended to all the members including the managements involved in this reference to implement the recommendations and pay all the benefits to the workmen. In fact, in Bihar and Bengal, the recommendations are implemented and the workmen are paid V.D.A. much earlier at the rate of Rs. 2.13 per day. They are paid from 1-10-71 or in any case from a date much earlier than 15-8-72. The workmen involved in this dispute are actually denied V.D.A. as per Central Wage Board Recommendations and hence this demand is most just and reasonable. The managements concerned can easily bear the burden of paying arrears and there is no reason whatsoever for denying the workmen their dues for V.D.A.

4. The Maharashtra Colliery Workers Union Ballarpur and Maharashtra Colliery Mazdoor Sewa Mandal Ballarpur who were at their request, allowed to intervene in this industrial dispute also filed a separate statement of claim in justification of the demand made for increased V.D.A. at Rs. 2.13 per day for the period from 1-4-72 to 14-8-72.

5. The Managements of the Ballarpur Collieries company, Hindustan Lalpeth Colliery and Chanda Rayatwari Colliery filed a common written statement in reply to the statement of claim filed by the workers. It is submitted that all the 3 employers and the representatives of the employees had reached a settlement in Form H under Rule 58 of the Industrial Disputes Act 1947 on 1st January 1972 in respect of Ballarpur Collieries Company; on 3rd Nov. 1971 in respect of Hindustan Lalpeth Colliery; and on 19th January 1972 in respect of Chanda Rayatwari Colliery to the effect that the employer shall pay Rs. 1.35 per attendance as V.D.A. from 1st January 1972. It was agreed under the terms of the said settlement that this V.D.A. at Rs. 1.35 shall continue to be paid irrespective of rise or fall in the consumer price index number upto 31st March 1973 and the employees shall continue to pay V.D.A. at this rate even beyond 31st March 1971 until the parties review the issue again on the basis of the prevailing cost of living index and the owners paying capacity and come to a fresh settlement. It was further agreed that the settlement was reached in full and final settlement of the workmen's claims regarding V.D.A. Accordingly the settlement was binding on the parties upto 31-3-1973.

6. It is further pointed out that as a result of the strike notice served on the employers by the Maharashtra Pradesh Rashtriya Koyala Khadan Kamgar Sangh Nagpur on 16-6-72 demanding increase in the rate of V.D.A. to Rs. 2.13 per day, conciliation proceedings were started by the A.L.C. (Central) Nagpur and after prolonged discussions, a fresh settlement in Form H under Rule 58 was reached. As per term no. 1 of the settlement, it was agreed that the settlement dated 1st January 1972, 3rd Nov. 71 and 19th January 1972 referred to above, shall stand modified w.e.f. 15th August 1972 and that the employers shall pay V.D.A. as per Wage Board recommendations i.e. at Rs. 2.13 per day instead of

Rs. 1.35 per day with effect from 15th August 1972 and there shall be a full review of the rate of V.D.A. on or about 15th August every year. Thus, in view of the terms of settlements dated 1st January 1972, 3rd Nov. 1971 and 19th January 1972 which stand modified by the settlement dated 7th August 1972, the employees have no right to demand any increase for the period 1st April 1972 to 14th August 1972. The said settlements are legal and binding on both the parties. The Union had failed to serve any notice for terminating the said settlement under Sec. 19(2) of the Industrial Disputes Act, 1947 (hereinafter referred to as the I.D. Act.) The Union is therefore, debarred from raising a demand for any increase in the rate of V.D.A. by the aforesaid settlement.

7. It is further submitted that the Central Wage Board for Coal Mining Industry was not constituted under the I.D. Act. The recommendations of the said are not therefore, mandatory. Besides this any increase in the rate of V.D.A. has to be based on the compensatory suitable increase in the price of coal. The employers not only sold their output during the period 1st April 1972 to 15th August 1972 at a much lower rate but had also made commitments for sale of coal that was produced and is being produced for a further considerable period in future. In fact by the modification of the rate of V.D.A. from Rs. 1.35 to Rs. 2.13 the liability of the employers has already gone up by a large sum. In these circumstances, the demand made by the Union for any increase in the V.D.A. is not reasonable. In addition to the increase in the rate of V.D.A. from 15th August 1972 the employers are burdened with another increase in the rate of payment of bonus under the Payment of Bonus Act, 1965 as per the Bonus Ordinance which has doubled the minimum amount of bonus to be paid to the employees. It is therefore, prayed that in view of a valid settlement in force from 1st April 1972 to 14th August 1972 and also the financial capacity of the employers, the demand raised by the Union regarding increase in the V.D.A. from 1st April, 1972 to 14th August, 1972 is not reasonable and justified.

8. During the pendency of this reference, the Central Government promulgated the Coal Mines (Taking over of Management) Ordinance, 1973 (No. 1 of 1973) to provide for the taking over, in the public interest, of the management of coal mines, pending nationalisation of such mines. According to Sec. 3(1) of the said Ordinance, the management of all the coal mines had vested in the Central Government with effect from 31st January 1973. The Maharashtra Pradesh Rashtriya Koyala Khadan Kamgar Sangh, Nagpur therefore, made an application on 2-3-73 in the matter of joining as a party to this reference, the Custodian of Coal Mines Authority, Wardha Valley Group Coal Mines (U) Ballarpur. A notice was accordingly issued to the said Custodian and on his behalf an application dated 7-8-73 was made and it was submitted that the Custodian of the Coal Mines Authority may be excluded from the reference. It was pointed out that the matter under reference pertains to the liability arising prior to the taking over of the management of the coal mines by the Coal Mines Authority. A reference was also made to Sec. 7 of the Coal Mines (Nationalisation) Act 1973 (No. 26 of 1973) and it was submitted that Coal Mines Authority will not be liable for any payment in respect of wages, bonus, royalty, rent etc. or any other dues for the period prior to the taking over of the coal mines by the Central Government. By the order passed on 21-8-73 it was held by me that in view of Sec. 7 of the said Act, the Coal Mines Authority will not be liable for any payment in respect of V.D.A. for the period prior to the taking over of the coal mines by the Central Government. In this view of the matter, it was held that the Coal Mines Authority is not a necessary party to the reference. However, it was further held by me that the said Authority is a proper party and the presence of the said Authority would be necessary in order to enable this Arbitrator effectually and completely to adjudicate upon and settle the matter involved in this reference.

9. Thereafter the Managements of Ballarpur Collieries Co., Hindustan Lalpeth Colliery and Chandra Rayatwari Colliery filed separate submissions stating inter alia that their coal mines have since been taken over by the Central Government and they have also been nationalised with effect from 1-5-1973 under the Coal Mines (Nationalisation) Act 1973. It is pointed out that all the accounts, records, funds etc. are now in the possession of the Custodian, Wardha Valley Group Coal Mines, Ballarpur. It is further pointed out that it is the Custodian alone who can effectually represent the

managements and therefore, the Custodian should be directed to produce all the relevant documents and conduct the proceedings on behalf of these companies. After filing these submissions, the erstwhile owners of these coal mines refused to participate in the further proceedings before me.

10. At the outset, I may state that it is extremely unfortunate that the erstwhile owners of these coal mines have ceased to participate in the proceedings after the promulgation of Coal Mines (Taking over of Management) Ordinance 1973 and the passing of the Coal Mines (Nationalisation) Act, 1973, although the claim in the instant reference relates to the period from 1st April 1972 to 14th August 1972 which is a pre-takeover period.

11. Before turning to the merits of the dispute, I would like to dispose of a preliminary legal objection taken by the erstwhile owners of the Coal Mines as regards the maintainability of this reference. It is not disputed that all these 3 employers and the representatives of the employees had reached a settlement in form H under Rule 58 of the I.D. Act on 1-1-72 in respect of Ballarpur Colliery Company, on 3-11-71, in respect of Hindustan Lalpath Colliery and on 19-1-72 in respect of Chand Raiyatwari Colliery. The copies of the said Memos of Settlements are filed by the said employers as Annexure A, B and C to the written statements. The terms of the 3 settlements are practically identical. Under the said settlement, the management had agreed to pay V.D.A. to all the workers at the rate of Rs. 1.35 per day with effect from 1st January 1972. It was further agreed that the quantum of V.D.A. of Rs. 1.35 would continue to paid irrespective of the cost of living index figures upto 31-3-73 and also thereafter till fresh settlement on the issue which may be arrived at between the parties by the negotiations. It was further agreed that the settlement was made in full and final settlement of the workmen's claim regarding V.D.A.

11. It would further appear that the Maharashtra Pradesh Rashtriya Koyala Khadan Kamgar Sangh, Nagpur served a strike notice on 16-6-72 demanding increase in the rate of V.D.A. to Rs. 2.13 per day. The conciliation proceedings were started by the A.I.C. (C) Nagpur and after prolonged discussions, the parties reached a fresh settlement on 7-8-1972. A copy of the Memo of that settlement is placed on record at Annex F to the written statement of the employers. As per term no. 1 of the settlement, it was agreed that the mutual settlements dated 1st July 1972; 3rd Nov. 1971; and 19-1-72 shall stand modified with effect from 15-8-72 and as such the employers shall pay V.D.A. as per the Wage Board recommendations i.e. Rs. 2.13 per day instead of Rs. 1.35 per day with effect from 15-8-72 and there shall be an annual review of the rate of V.D.A. on or about 15th August each year. It was further agreed that the demand of the Union for payment of V.D.A. from 14.72 to 14.872 shall be referred for arbitration under Sec. 10A of the I.D. Act for which a separate arbitration agreement was entered into.

12. Now the legal objection taken by the erstwhile owners of the coal mines is that the settlements dated 1.1.72; 3.11.71 and 19.1.72 which stand modified by the settlement dated 7.8.72 are to remain in operation upto 31st March 1973. It is pointed out that the Union has failed to serve any notice for terminating the said settlements as required by Sec. 19(2) of the I.D. Act and so the Union is debarred from raising a demand for increase in the rate of V.D.A.

13. Now Sec. 19 of the I.D. Act deals with the period of operation of the settlements and awards. Sub-Sec. (2) of Sec. 19 provides that such settlement shall be binding for such period as is agreed upon by the parties, and if no such period is agreed upon, for a period of six months from the date on which the memorandum of settlement is signed by the parties to the dispute and shall continue to be binding on the parties after the expiry of the period aforesaid, until the expiry of two months from the date on which a notice in writing of an intention to terminate the settlement is given by one of the parties to the other party or parties to the settlement. Now, according to the 3 settlements referred to above, the management had agreed that V.D.A. at Rs. 1.35 should be paid to the employees beginning from 1.1.72 and the management shall continue to pay V.D.A. at that rate irrespective of rise or fall of the consumer price index number upto 31.3.73. According to the settlement dated

7.8.72 the previous 3 settlements were modified in that the management had agreed to pay V.D.A. at the rate of Rs. 2.13 per day instead of Rs. 1.35 per day w.e.f. 15-8-72. According to the erstwhile owners, the reference is incompetent because the settlements dated 1.1.72; 3.11.71 and 19.1.72 were to remain in operation till 31.3.73 and they have not been validly terminated by giving notice as required by sub-section (2) of Sec. 19 of the Act.

14. It is not disputed that the Union had not served any such formal notice of termination under Section 19(2) of the Act. The submission of the erstwhile owners of the coal mines therefore, appears to be quite attractive at first sight and I shall presently show that it does not stand closer scrutiny. It has to be noted that Sec. 19 requires the notice merely to be "in writing". The Industrial disputes (Central) Rules, 1957 do not prescribe any form for giving such notice. All that, therefore, has to be done is to see that the provisions of S. 19(2) are complied with, and in substance a notice is given by one party to the other party intimating its intention to terminate the settlement. This provision contemplates not a tacit representation but an express representation physically in the form of writing, terminating an agreement. The intimation to terminate the settlement could be by formal notice in writing or it could be spelt out from the correspondence also.

15. Now, in the instant case the settlements dated 1.1.72; 3.11.71 and 19.1.72 stood modified by the settlement dated 7.8.72. It was agreed that the mutual settlements referred to above shall stand modified with effect from 15.8.72 and as such the employer shall pay V.D.A. as per Wage Board recommendations i.e. Rs. 2.13 per day instead of Rs. 1.35 per day with effect from 15.8.72. Then we find clause (b) of term No. 1 of the settlement which runs thus :

"It is agreed that the demand of the Union for payment of variable dearness allowance from 1.4.72 to 14-8-72 shall be referred for arbitration under Sec. 10A of the Industrial Disputes Act 1947 for which a separate arbitration agreement is entered into."

16. In my opinion, the incorporation of the aforesaid clause (b) was a clear intimation given by the union of its intention to terminate the settlements dated 1.1.72; 3.11.71 and 19.1.72 in the matter of paying V.D.A. at the rate of Rs. 1.35 per day upto 31.3.73. It has also been held in Workmen of Continental Commercial Co. (P) Ltd. v. Government of West Bengal—1962 1 L.J. 85 and State of Kerala v. Antony D' Cruz—1966 1 L.J. 373 that a notice under Sec. 19(6) may be waived by party for whom it is intended. In the instant case, the parties had mutually agreed to refer the demand of the Union for payment of V.D.A. at the rate of Rs. 2.13 per day from 14.72 to 14.3.72 for arbitration under Sec. 10A of the I.D. Act, 1947. The parties had also entered into a separate arbitration agreement on the same date in that regard. It must therefore, be held that the erstwhile owners of the coal mines had by their action and conduct waived the notice under Sec. 19(2) of the Act. I have therefore, no hesitation to reject the aforesaid legal objection taken by the erstwhile owners of the coal mines.

17. In this case, the workmen have demanded increased V.D.A. at the rate of Rs. 2.13 per day for the period from 1st April 1972 to 14th August 1972. It is not disputed that during this period these coal mines were of the ownership of Party No. 1, 2, and 3. Even at the date of this voluntary reference, these coal mines were owned by the aforesaid companies. During the pendency of the reference, the management of the coal mines was taken over by the Central Government by promulgating the Coal Mines (Taking over of Management) Ordinance, 1973, which was replaced by the Coal Mines (Taking Over of Management) Act 1973. Subsequently, the coal mines were nationalised with effect from 1-5-1973 by the Coal Mines (Nationalisation) Act, 1973 (hereinafter referred to as the Nationalisation Act). The erstwhile owners then upon took the stand that they have been completely divested of the ownership and management of their respective collieries and their connection with the colliery had ceased with effect from 31-1-73 and so, the liability is any, arising out of these proceedings shall have to be met by the Coal Mines Authority who are in possession of all the records, accounts and assets of these companies. Shri Dhabe submitted that the erstwhile owners and coal Mines Authority are jointly and

severally liable and for that he referred to Clause (c) of sub-section (3) of section 18 of the I.D. Act. Section 18 deals with persons on whom settlements and awards are binding. According to clause (c) *ibid*, a settlement and award shall be binding on where a party referred to is an employer, his heirs, successors or assigns in respect of the establishment to which the dispute relates. According to Shri Dhabe, the Coal Mines Authority ought to be regarded successors or assigns of the erstwhile owners of these coal mines within the meaning of clause (c) *ibid*. In this connection it is pointed out that according to sub-section (1) of Sec. 3 of the Coal Mines (Taking over of Management) Ordinance, 1973, on and from the appointed day, (31-1-73) the management of all the coal mines had vested in the Central Government. It is further pointed out that according to sub-sec. (1) of Sec. 3, of the Nationalisation Act, on and from the appointed day (1-5-73) the right title and interest of the owners in relation to the coal mines stood transferred to, and vested absolutely in the Central Government free from all incumbrances. In this connection attention was also invited to sub-sec. (1) of Sec. 4 of the said Act. Shri Dhabe also referred to the scheme of the Nationalisation Act and particularly Sec. 14(1), 19(4) and 21 and submitted that the liability, if any, arising out of the Award that may be passed in this reference, can be enforced against the Coal Mines Authority in so far as the assets of the erstwhile owners are in their hands.

18. I have given my careful consideration to the aforesaid submission made by Shri Dhabe but I cannot persuade myself to accept the submission. It may be noted that the pre-requisite for the application of clause (c) of sub-Ss. (3) of Sec. 18 of the I.D. Act is that it must be an arbitration award in a case where a notification has been issued under sub-section (3-A) of Section 10-A of the I.D. Act. In the instant case, it may be noted that the Central Government had published the arbitration agreement in the official Gazette in accordance with the provisions contained in Sub-Section (3) of Sec. of the I.D. Act. It is however, pertinent to note that the Government had not issued notification under sub-Sec. (3-A) of Section 10-A of the I.D. Act. In my opinion, therefore, clause (c) *ibid* is not attracted.

19. That apart, Shri Sarmukkadam, the Law Officer appearing for the Coal Mines Authority, invited my attention to the provisions contained in Sec. 28 of the Nationalisation Act. It provides that the provisions of the Nationalisation Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act, or in any decree or order of any Court, Tribunal or other Authority. It would therefore, appear that Sec. 28 gives an overriding effect to the Nationalisation Act and so, the provisions contained in Sec. 18(3)(c) would not prevail. It has also to be noted that the Industrial Disputes Act, 1947 is a general Act while the Nationalisation Act is a special Act and it cannot be doubted that the special must over-reach the general.

20. It would also appear from the scheme of the Nationalisation Act that the Central Government or the Coal Mines Authority would not be liable for the liabilities if any, of the erstwhile owners in relation to the pre-take over period. According to sub-Section (1) of Section 3 of the Nationalisation Act, the right, title and interest of the erstwhile owners is to vest absolutely in the Central Government free from all incumbrances. Section 6(1) of the said Act provides that all property vesting in the Central Government or in a Government company shall by force of such vesting be freed and discharged from any trust, obligation, mortgage, charge, lien and all other incumbrances affecting it and any attachment, injunction or decree or order of any Court restricting the use of such property in any manner shall be deemed to be withdrawn.

21. In this connection the provisions contained in Sec. 7 are of pivotal importance. Sub-Section (1) of Section (1) of Section 7 says that every liability of the owner, agent, manager or managing contractor of a coal mine, in respect of any period prior to the appointed day, shall be the liability of such owner, agent, manager or managing contractor as the case may be, and shall be enforceable against him and not against the Central Government or the Government company. For the removal of doubts, sub-Section (2) of Section 7 provides thus :

For the removal of doubts, it is hereby declared that—

- (a) save as otherwise provided elsewhere in this Act, no claim for wages, bonus, royalty, rate, rent, taxes, provident fund, pension, gratuity or any other dues in relation to a coal mine in respect of any period prior to the appointed day, shall be enforceable against the Central Government or the Government company;
- (b) no award, decree or order of any Court, Tribunal or other authority in relation to any coal mine passed after the appointed day, but in relation to any matter, claim or dispute which arose before that day, shall be enforceable against the Central Government or the Government company;
- (c) no liability for the contravention, before the appointed day, of any provision of law for the time being in force, shall be enforceable against the Central Government or the Government company.

22. In my opinion, therefore, the provisions contained in Sec. 7 of the Nationalisation Act make it abundantly clear that the Central Government or the Coal Mines Authority shall not be liable for the liabilities relating to the pre-takeover period and the said liabilities shall be enforceable against the erstwhile owners and not against the Central Government or the Government company. In this connection, I may also refer to sub-Section (4) of Section 19 which says that the liabilities of the coal mine which could not be discharged by the appointed day, may be discharged by the Central Government or the Government Company upto the specified date, and every payment so made shall be included in the statement of accounts as on the day immediately before the appointed day, indicating therein the period in relation to which the payments were made. The proviso is very important and it says that the liabilities in relation to the period prior to the appointed day, which have not been discharged on or before the specified date, shall be the liabilities of the owner of the coal mine. I have therefore, no hesitation to find that in case an Award is passed as against the erstwhile owners of the coal mines in this case, it shall be enforceable against the said owners and not against the Coal Mines Authority.

23. Let us now turn our attention to the merits of the case in order to find out whether the demand made by the workers for V.D.A. at the enhanced rate of Rs. 2.13 per day for the period from 1-4-72 to 14-8-72 is just and reasonable. The workers have examined Shri Khode, who is the Working President of Maharashtra Pradesh Rashtriya Koyala Khadan Kamgar Sang, Nagpur. He is the signatory to the Memorandum of Settlement dated 7-8-72 by which the mutual settlements dated 1-1-72; 3-11-71 and 19-1-72 stood modified with effect from 15-8-72 from which date the employers agreed to pay V.D.A. at the rate of Rs. 2.13 per day instead of Rs. 1.35 per day. Shri Khode also represented the Workmen in relation to the Arbitration Agreement dated 7-8-72. He says that the recommendations of the Central Wage Board for Mining Industry were given effect to by the Central Government from 15-8-67. He further says that the claim for the period prior to 1-4-72 was not given up by the workers and the dispute was going on. He has further stated that these 3 companies have the capacity to pay a small amount of arrears arising out of the Award that may be passed in favour of the workmen. In the concluding portion of his deposition he has stated that these 3 companies are still in existence although the Management of the collieries was taken over by the Central Government w.e.f. 31-1-73. I find that the evidence given by Shri Khode is blissfully vague and he has not given any cogent reasons for directing the erstwhile owners of these collieries to pay V.D.A. at the rate of Rs. 2.13 per day for the relevant period.

24. I have already referred to the mutual settlements dated 1-1-72; 3-11-71 and 19-1-72 reached between the workers and the erstwhile owners of these collieries. The copies of the Memorandum of settlement are at Annexures A, B and C to the joint written statement filed by the companies. As per these settlements, the employers had agreed to pay V.D.A. at the increased rate of Rs. 1.35 per day with effect from 1-1-72. It was further agreed that the quantum of V.D.A. at Rs. 1.35 would continue to be paid irrespec-

tive of the cost of living index figures, upto 31-3-73 and also thereafter till final settlement on the issue which may be arrived at between the parties by negotiations. It was further agreed that the settlement was made in full and final settlement of the workmen's claim relating to V D A. However within six months the Maharashtra Pradesh Rishtriya Koyali Khandan Kamgar Sangh addressed a letter dated 16-6-72 raising the demand for increase in the rate of V D A to Rs 2.13 per day and also gave out a threat that if that demand together with the demand for the payment of bonus is not met, the workers would go on strike. It appears that although the companies were opposed to this demand on the background of the 3 mutual settlements referred to above it appears that in order to buy industrial peace, they agreed to modify the previous 3 settlements and agreed to pay increased V D A at the rate of Rs 2.13 per day instead of Rs 1.35 per day with effect from 15-8-72. The workers however demanded that they should be paid V D A at the rate of Rs 2.13 per day from 1-4-72 to 14-8-72 and so the parties agreed to refer the matter to arbitration under Section 10 A of the ID Act 1947.

25 Now the workers have failed to prove any material change in the circumstances since the signing of the settlements dated 1-1-72, 3-11-72 and 19-1-72. It is true that under the Memorandum of Settlement dated 7-8-72 the companies had agreed to pay V D A at the increased rate of Rs 2.13 per day with effect from 15-8-72. But, that can hardly serve as a justification for claiming V D A at the same rate for the period from 1-4-72 to 14-8-72 especially when the parties had agreed at the time of the settlements dated 1-1-72, 3-11-72 and 19-1-72 that the quantum of V D A at the rate of Rs 1.35 per day should continue to be paid irrespective of the cost living index upto 31-3-73. I am of the opinion that the workers should have reconciled themselves to the said settlements and settled down to work it. The workers should not have treated the settlements as a mere stage in the prosecution of a prolonged struggle because such a course far from bringing industrial peace would turn out to be but truces giving the parties breathing time before resuming hostile action with renewed vigour. As I have pointed out the said settlements were intended to remain in operation till 31-3-73 and the burden would be on the workers to prove any change in the circumstances so as to warrant payment of V D A at the increased rate of Rs 2.13 per day even for the period from 1-4-72 to 14-8-72. In his evidence, Shri Khode has not thrown any light on this important aspect of the matter.

26 In such a case, the capacity of the industry to pay is one of the essential circumstances which has to be taken into consideration. In this case at the request of the workers the Managements of Ballarpur Collieries Company and the Hindustan Talpeth Colliery of M/s Perfect Pottery Ltd have filed on record balance sheets for the accounting year 1969-70 and 1970-71. Those of the Ballarpur Colliery Company Nagpur are marked as Fxh U-1 and U-2 respectively. The balance sheets of the Hindustan Talpeth Colliery for the accounting years 1970 and 1971 are filed at Fxh U-5 and U-6 respectively. The balance sheets of Chandra Rayatwari Colliery were not filed as the same were not available. Now the balance sheets of Ballarpur Colliery Co Nagpur for the year ending 30-6-70 would go to reveal that the company had suffered a net loss of Rs 9,31,945. In the year ending 30-6-71 this company suffered a net loss of Rs 25,52,237. So far as Hindustan Talpeth Colliery is concerned we find that in the year ending on 31-12-70 this colliery suffered a net loss of Rs 4,07,026 and in the year ending 31st December 1971 it suffered a net loss of Rs 40,89,27. It would therefore appear that Ballarpur Colliery as well as Hindustan Talpeth Colliery had suffered huge losses in both the years and this is one of the important considerations which ought to be taken into account in examining the demand for increased V D A made by the workers. As I have pointed out the balance sheets and profit and loss statements of Chandra Rayatwari Colliery are not filed on record. But then there is nothing to show that this company was in a sound and satisfactory condition during these 2 years.

27 In his deposition Shri Khode stated that all these 3 companies have the capacity to pay such "a small amount of arrears". He has not elaborated that statement by making reference to any figures. It would however appear that in case the demand made by the workers is conceded, these 3 companies would be required to pay arrears as under

1 Ballarpur Colliery Co	Rs 5,12,000/-
2 Hindustan Talpeth Colliery	Rs 1,25,400/-
3 Chandra Rayatwari Colliery	Rs 41,800/-

In my opinion it would be a misstatement to state that the amount of arrears is a small one as suggested by Shri Khode. Having regard to the fact that the workers have failed to prove any change in the circumstances and further having regard to the financial capacity of these 3 companies, I am of the opinion that the demand made by the workers for the grant of increased V D A at the rate of Rs 2.13 per day for the period from 1-4-72 to 14-8-72 is not at all justified.

I, therefore find that the workmen of Ballarpur, Sastli Ghugus Hindustan Talpeth Chandra Rayatwari Collieries in Chandrapur district of Maharashtra State are not justified in demanding variable dearness allowance @ Rs 2.13 per day for the period from 1-4-72 to 14-8-72.

I direct the erstwhile owners of Ballarpur Collieries Company Nagpur, the Hindustan Talpeth Colliery of M/s Perfect Pottery Ltd and the Chandra Rayatwari Colliery of M/s Rao Bahadur Seth Shreeram Durgaprasad, Nagpur to each pay Rs 550/- (Rs Five hundred and fifty) on account of arbitration fees. In case they refuse or fail to pay the arbitration fees as directed above, the Coal Mines Authority shall as provided under sub Sec (4) of Sec 19 of the Nationalisation Act pay the said arbitration fees and the payment so made shall be included in the statement of accounts as on the day immediately before the appointed day.

I make an Award accordingly.

[No J 22013 3/72 (RHH)]

W K ALMUKAR, Arbitrator

Nagpur

Dated 31st May, 1974

New Delhi, the 28th June 1974

S.O. 1702.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of Shri J N Simlote, Regional Labour Commissioner (Central), Bhubaneswar, Orissa and Arbitrator in the industrial dispute between management of National Coal Development Corporation Limited, Orissa Region, Post Office Dera Colliery, District Dhenkanal (Orissa) and their workmen which was received by the Central Government on the 22nd June 1974.

**BEFORE THE REGIONAL LABOUR COMMISSIONER
(CENTRAL) BHUBANESWAR AND ARBITRATOR**
Ref No E 1/82(5)/74

PRESENT

Shri J N Simlote Regional Labour Commissioner (C)
Bhubaneswar & Arbitrator

Representing employer

- 1 Shri PNS Pradip, Area General Manager (O),
M/s National Coal Development Corporation Ltd,
Talcher P O Dera Colliery Dt Dhenkanal
- 2 Shri R Jha, senior Group Personnel Officer (O),
M/s National Coal Development Corporation Ltd,
Talcher P O Dera Colliery Dt Dhenkanal

Representing workmen —

- 1 Shri P K Pradhan Vice President Talcher Colliery
Mazdoor Sangh
- 2 Shri D B Mishra, General Secretary, Talcher Colliery
Mazdoor Sangh
- 3 Shri B N Samal, Secretary, Talcher Colliery Mazdoor
Sangh P O Colliery, Dt Dhenkanal

AWARD

M/s National Coal Development Corporation Ltd Orissa Region Talcher and workmen through Talcher Colliery Mazdoor Sangh (hereinafter referred to as the Union) by a written agreement dated 14-2-1973 referred the dispute in

regard to promotion order of S/Shri R C Moharana and S K Choudhury for my arbitration under Section 10A of the Industrial Disputes Act, 1947. The said arbitration agreement was received by the Government on 29-12-1973 and published vide Notification No. L-19013/2/73-LRII dated 18-1-1974.

2 On 31-1-1974 the parties were asked to file their written statements. The first hearing took place on 4-4-1974 and 5-4-1974. I found it necessary from the preliminary enquiry that there are other workmen also who are affected by the reference and an opportunity under Section 10(3-A) of the Act is to be given to them. It was noticed that though such workmen were not parties to the arbitration agreement but are concerned in the dispute and should be given an opportunity of presenting their case before me. This was objected to by the Union. According to them this opportunity is to be afforded not by the Arbitrator but by the Appropriate Government. In the adjourned hearing dated 10-5-1974 the said objection raised by the Union was ruled out. During the hearing there was a difference of opinion in regard to the emphasis to be laid down on certain wordings of the reference itself. On the one hand it was argued that the specific matter in the dispute related to determination of date of promotion of S/Shri R C Moharana and S K Choudhury while on the other hand it was emphasised that the issue related to determination of seniority of these two persons vis-à-vis seniority of 7 others promoted to the post of Chargeman between December 1972 and February, 1973. After giving adequate opportunity of explaining their point of views I decided to treat the reference as a whole. The reference cannot be bifurcated by laying emphasis on one part or the other.

3 As already stated supra other workmen affected were given an opportunity of being heard. They are S/Shri Amar Ghosh, Gobinda Bhutta, N K Barik, U C Pradhan, B B Pati and K. Raghu Rama Rao. Of the said, 5 workers were present during the hearing viz S/Shri B B Pati, Amar Ghosh, K R R Rao, N K Barik and U C Pradhan. Shri Gobinda Bhutta was not present in spite of notice. Shri B B Pati expressed his contention in his letter dated 8-5-1974 and Shri Amar Ghosh vide his letter dated 10-5-1974. Shri K R R Rao submitted his written contentions while Shri N K Barik stated that he has to raise the same points as raised by Shri B B Pati. Shri U C Pradhan also stated that he has no fresh point to raise except those which have been raised by Shri B B Pati. S/Shri N K Barik, K Raghu Rama Rao, U C Pradhan and B B Pati were allowed to be represented through N C D C Workers' Association South Balanda Colliery. Their main argument remained to the effect that the question of keeping abeyance of the promotion orders of S/Shri R C Moharana and S K Choudhury had nothing to do in the present case and it was beyond the scope of the Arbitrator. Their date of actual promotion should be the date for counting seniority. Initial promotion order of S/Shri Moharana and Choudhury was defective and illegal and so was kept in abeyance two times in the past.

4 From the investigations made it emerged out that 2 posts of Chargeman (Mech) in the scale of 245-440 were to be filled up—one at Central Garage, Talcher and the other at Deulbera Colliery. The posts were required to be filled up essentially to ensure proper maintenance of vehicles and so all the Collieries/Projects in Orissa Region were requested to sponsor the names of suitable departmental candidates having both the theoretical and practical knowledge/experience in auto-engineering and capable of holding charge of the Garage independently. In response to the above requisition names of 18 candidates were sponsored by the Colliery/Projects and all of them were called for interview on 22-12-1970. The cases of such of the departmental candidates who appeared for interview on 22-12-1970 were duly considered by the Departmental Promotion Committee and they unanimously recommended the names of S/Shri Choudhury and Moharana in order of merit for promotion to the post of Chargeman. The said recommendation was duly approved by the Area General Manager (O) and Office Order was issued promoting both of them on 15-4-1971 with a clear stipulation therein that the order would take effect from the date they actually report for duty as Chargeman.

5 On 17-4-1971 Shri Choudhury represented that though Shri Moharana has already been released and joined his post he had not been released as a result of which he is going to lose his seniority sustaining monetary loss with

cumulative effect. According to him, his release was not effected in the interest of the Corporation.

6 In the meantime, it appears that representations were made to the Management by some of the employees pressing that their cases should also be considered by the DPC. Besides representations from individual workmen, N.C.D.C. Workers' Association also made a representation on this score. In view of the said representations the Management decided to ascertain if there were actually some more eligible candidates possessing similar and requisite qualifications and experience. The orders of promotion of S/Shri Choudhury and Moharana to the post of Chargeman (Auto/Mech) were held in abeyance vide order dated 20-4-1971. It was made clear that the order has been kept in abeyance in view of the representations received from the employers. Thereafter, the Management decided to fill up 6 posts of Chargeman at South Balanda Colliery from amongst the existing employees of that Colliery based on the recommendations of the DPC and also to revive the promotion orders of S/Shri Choudhury and Moharana. The order states that approval has been made by the Area General Manager (O) for filling up of 6 vacant posts of Chargeman at South Balanda Colliery by suitable and qualified candidates from amongst the existing employees of the Collieries under the control of the Project Officer, South Balanda Colliery basing on the recommendations of the DPC consisting of 5 Officers named therein. This was dated 17/18-6-1971. An Office order was also issued on 21-6-1971 stating that the order promoting S/Shri Choudhury and Moharana kept in abeyance is "hereby revived with immediate effect". S/Shri Choudhury & Moharana were to report for duty to the Colliery Managers, Talcher and Deulbera respectively.

7 It appears that there were again further representations and the order of promotion of S/Shri Choudhury and Moharana and also the permission accorded earlier for filling up of 6 posts of Chargeman at South Balanda Colliery were kept in abeyance till further orders vide Area General Manager's order dated 20-7-1971. According to the management the whole matter was reconsidered and a DPC was reconstituted and also the Project Officers and Colliery Managers were requested to submit the names and service particulars of all the eligible candidates vide order dated 8-10-1971. In response to the above letter names of 30 candidates, were sponsored and all of them were called for interview for test on 10-2-1972. Of the aforesaid 30 persons 8 turned up for interview. The DPC unanimously finally recommended the names of S/Shri S K Choudhury and R C Moharana for promotion to the posts of Chargeman (Mech). In the meantime Project Officer South Balanda Colliery was asked to fill up 6 vacant posts of Chargeman at South Balanda Colliery on the basis of the recommendations of the DPC. After completion of necessary formalities S/Shri S K Choudhury and R C Moharana were promoted with effect from 17-12-1972 vide Office Order dated 19-12-1972. The four mechanical fitters G VI of the South Balanda Colliery viz S/Shri N K Barik, U C Pradhan, B B Pati and K. Raghu Rama Rao etc. also promoted to the post of Chargeman at South Balanda Colliery with effect from 17-12-1972. During the period 15-4-1971 to 17-12-1972 Shri Amar Ghosh was promoted to the post of Chargeman on 10-4-1972 and Shri Gobinda Bhutta on 8-9-1972.

8 It may be mentioned at this stage that according to the Union the Dy Superintendent of Collieries, South Balanda vide his letter No. 14/O/Conf/355 dated 27-8-1971 and addressed to the Area General Manager (O) wherein, inter alia others had stated that Shri S K Choudhury has not only been a sufferer for no fault of his own but even the normal justice has been done to him if he is not given promotion with effect from 22-6-1971 there will be complications to pay him salary for the days he has worked. Similarly Shri Nitinand Dey (J) (Joint Departmental Head and not supervising work in per version of the Management) during July, 1971 recommended to the Staff Officer as under — "If the post is vacant against which he has been working he may be allowed 20 per cent charge allowance."

9 It was not denied by the Management in the terms that Shri Choudhury filed his joining report on 15-7-1971. They strongly argued that the order of his promotion and that of Shri Moharana was kept in abeyance till further

orders vide orders dated 20-7-1971. It is not correct to say that Shri Moharana continued to work as Chargeman from 16-4-71. Had he been so allowed to work as Chargeman from 16-4-71 he would have been paid salaries for the Chargeman from that date. The Management further stated that due to abeyance of promotion orders of S/Shri S. K. Choudhury and R. C. Moharana they continued to perform their duties in the lower posts and in case their demand is acceded to the Corporation will have to incur a heavy financial loss. Promotion is an executive function based on the records of past services, experience, efficiency, merit, seniority etc. None can claim to be promoted as a matter of right. There were sufficient reasons to keep the order of promotion in abeyance on account of representations from a number of employees in this regard. "The promotion order having been issued long time back, the order of promotion having taken effect from 17-12-1972 and the incumbents having been posted at different projects, there seems to be no justification to re-open the case in this regard."

10. It was mentioned on behalf of the Union that the promotion of others to the post of Chargeman has no link with the promotion order dated 15-4-1971 in respect of S/Shri Choudhury and Moharana.

11. An examination of the facts of the case as stated supra, written statements or the parties including other workmen who were given an opportunity of being heard and represented their cases it is obvious that S/Shri Choudhury and Moharana had not been promoted and taken charge de facto as Chargeman with effect from 15-4-1971 due to orders being kept in abeyance. It would not be fair to pay them duty pay as Chargeman for the period till 17-12-1972. The recommendations of the D.F.A(O) and Dy. Superintendent of Collieries are being considered in evaluating the quantum of relief to the workmen, but cannot be treated having force of making payments on promotions S/Shri N. K. Barik, U. C. Pradhan, B. B. Pati and K. Raghu Rama Rao are given seniority at South Balanda Colliery as Chargeman (Excv) with effect from 17-12-1972. S/Shri Amar Ghose and Gobinda Bhutia are given their seniority with effect from 10-4-1972 and 8-9-1972 respectively. Since the promotion orders were issued following recommendations of 2 distinct D.P.Cs. it is fair that S/Shri S. K. Choudhury and R. C. Moharana gets benefit in some form or the other with effect from 16-4-1971. They had to unnecessarily suffer for no fault of theirs and were approved by all D.P.Cs. They have been found fit for promotion to the concerned posts of Chargeman (Mech). Under the circumstances the ends of justice will be met if the pay of S/Shri Choudhury and Moharana as on 17-12-1972 is fixed in the scale of Rs. 245-440 (CWB) in such a way as to provide increments which they would have earned treating their promotion notionally with effect from 16-4-1971. In other words S/Shri Choudhury and Moharana had not actually worked as and on the posts of Chargeman during the period 15-4-1971 to 16-12-1972 the question of granting any arrears wages to them should not arise. They should get only the benefit of fixation of pay. The date of their annual increment be 16th April. The order of seniority obviously to be maintained in the same manner. It need not be mentioned that the job specifications of Chargeman (Excv.) and (Mech) are not the same. There is no force in the argument on behalf of the Management to the effect that the issue has become old since this forms part of arbitration agreement itself. I gave my award accordingly.

J. N. SIMLOTE,

Regional Labour Commissioner (Central),
Bhubaneswar and Arbitrator.

Place : Bhubaneswar.

Date : 18-6-1974

[No. L-19013/2/73-LRIL.]

KARNAIL SINGH, Dy. Secy.

नई दिल्ली, 24 जून, 1974

का० प्रा० 1703.—कर्मचारी भविष्य-निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 13 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, श्री एम०

पी० आर्ज़ा को उक्त अधिनियम और उसके अधीन विरचित स्कीम तथा कुटुम्ब पेंशन स्कीम के प्रयोजनों के लिए, केन्द्रीय सरकार के या उसके नियन्त्रणाधीन किसी स्थापन के सम्बन्ध में या किसी रेल कम्पनी, महापत्तन, खान या तेलक्षेत्र या नियन्त्रित उद्योग में सम्बन्धित किसी स्थापन के सम्बन्ध में या किसी ऐसे स्थापन के सम्बन्ध में जिसकी एक से अधिक राज्य में विभाग या शाखाएँ हों, सम्पूर्ण दिल्ली तथा राज्यक्षेत्र के लिए निरीक्षक नियुक्त करती है।

[संख्या ए 12016(4)/74-भ० नि० 1]

New Delhi, the 24th June, 1974

S.O. 1703.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government hereby appoints Shri S. P. Ahuja to be an Inspector for the whole of the Union territory of Delhi for the purposes of the said Act, and the Scheme and the Family Pension Scheme framed thereunder in relation to any establishment belonging to, or under the control of the Central Government or in relation to any establishment connected with a railway company, a major port, a mine or an oilfield or a controlled industry or in relation to an establishment having departments or branches in more than one State.

[No. A. 12016(4)/74-PFI]

का० प्रा० 1704.—कर्मचारी भविष्य-निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 13 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार श्री टी० एन० शर्मा को उक्त अधिनियम और उसके अधीन विरचित स्कीम तथा कुटुम्ब पेंशन स्कीम के प्रयोजनों के लिए केन्द्रीय सरकार के या उसके नियन्त्रणाधीन किसी स्थापन के सम्बन्ध में या किसी रेल कम्पनी, महापत्तन, खान या तेल क्षेत्र या नियन्त्रित उद्योग में सम्बन्धित किसी स्थापन के सम्बन्ध में या ऐसे स्थापन के सम्बन्ध में जिसकी एक से अधिक राज्य में विभाग या शाखाएँ हों, सम्पूर्ण आन्ध्र प्रदेश राज्य के लिए निरीक्षक नियुक्त करती है।

[सं० ए० 12016(7)/74-न० एक आर्दे]

S.O. 1704.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Fund and Family Pension Fund Act, 1952 (19 of 1952), the Central Government hereby appoints Shri T. N. Sharma to be an Inspector for the whole of the State of Andhra Pradesh for the purposes of the said Act, and the Scheme and the Family Pension Scheme framed thereunder in relation to any establishment belonging to, or under the control of the Central Government or in relation to any establishment connected with a railway company, a major port, a mine or an oilfield or a controlled industry, or in relation to an establishment having departments or branches in more than one State.

[No. A. 12016(7)/74-PFI]

का० प्रा० 1705.—कर्मचारी भविष्य-निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 13 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, गवर्नर श्री एम० गुनार्जुन शर्मा, टी० एन० मन्त्रालय अधिनियम और शोधकी एम० जी० सोलामन को उक्त अधिनियम और उसके अधीन विरचित स्कीम तथा कुटुम्ब पेंशन स्कीम के प्रयोजनों के लिए केन्द्रीय सरकार के या उसके नियन्त्रणाधीन किसी स्थापन के सम्बन्ध में या किसी रेल कम्पनी, महापत्तन, खान या तेलक्षेत्र या नियन्त्रित उद्योग में सम्बन्धित किसी स्थापन के सम्बन्ध में या किसी ऐसे स्थापन के सम्बन्ध में जिसकी एक से अधिक राज्य में विभाग या शाखाएँ हों, सम्पूर्ण तमिलनाडु राज्य तथा पाण्डिचेरी के सघ राज्यक्षेत्र के लिए निरीक्षक नियुक्त करती है।

[संख्या ए 12016(6)/74 भ० नि० 1]

सालपक्ष जुलाई, अवर सचिव

S.O. 1705.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952) the Central Government hereby appoints Sarvashri S. Puttarajuna Sarma and T. N. Subramanian and Smt. M. G. Solomon to be Inspectors for the whole of the State of Tamil Nadu and Union territory of Pondicherry for the purposes of the said Act, and the Scheme and the Family Pension Scheme framed thereunder in relation to any establishment belonging to, or under the control of the Central Government or in relation to any establishment connected with a railway company, a major port, a mine or an oilfield or a controlled industry or in relation to an establishment having departments or branches in more than one State.

[No. A 12016(6)/74-PF-I]
LALFAK ZUALA, Under Secy

आदेश

नई दिल्ली, 27 मई, 1974

का० आ० 1706.—यन केन्द्रीय सरकार की राय है कि इससे उपा बद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स टाटा आयरन एण्ड स्टील कम्पनी लिमिटेड की डिगवाडिह कोलियरी, डाकघर जीलगोरा (धनबाद) के प्रबन्ध में सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है,

और यन केन्द्रीय सरकार उक्त विवाद का न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है,

अन, अब, औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एवद्वारा उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण (संख्या 1), धनबाद का न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

क्या मैसर्स टाटा आयरन एण्ड स्टील कम्पनी लिमिटेड की डिगवाडिह कोलियरी, डाकघर जीलगोरा (धनबाद) के प्रबन्धकों की श्री अमरेन्द्र कुमार मिश्र, ओवरमैन की परिवीक्षा की अवधि का तीन महीनों की समाप्ति के बाद बढ़ाने, विशेष कर प्रमाणित स्थायी आदेशों में इस सम्बन्ध में किसी उपबन्ध के अभाव में, और उनका कोई स्पष्टीकरण लिये बिना ही पहली अप्रैल, 1973 से उनकी सेवाएँ भी समाप्त करने की कार्यवाही, अर्थात् बढ़ाई गई परिवीक्षा की अवधि के समाप्त होने के एक महीने बाद, न्यायोचित थी? यदि नहीं, तो सम्बन्धित कर्मकार किस अनुताप का हकदार है और कब स?

[संख्या एन-2012/8/74-एन० आर०-2]

ORDER

New Delhi, the 27th May, 1974

S.O. 1706.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Digwadih Colliery of Messrs Tata Iron and Steel Company Limited, Post Office Jealgora (Dhanbad) and their workmen in respect of the matters specified in the Schedule hereto annexed,

And whereas the Central Government considers it desirable to refer the said dispute for adjudication,

Now therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal (No. 1), Dhanbad, constituted under section 7A of the said Act

SCHEDULE

Whether the action of the management of Digwadih Colliery of Messrs Tata Iron and Steel Company Limited, Post Office Jealgora (Dhanbad) in extending the probation period of Shri Amarendra Kumar Mishra over and above the expiry of three months particularly in the absence of any provision in that behalf in the Certified Standing Orders and also in terminating his service with effect from the 1st April, 1973, that is to say a month after the expiry of the extended probation period without calling for an explanation was justified? If not to what relief is the workman concerned entitled and since when?

[No. I 2012/8/74 LR II]

New Delhi, the 28th June 1974

S.O. 1707.—In pursuance of section 17 of the Industrial Disputes Act 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal (No. 2) Bombay in the Industrial dispute between the employers in relation to the Belgaum Bank Limited and their workmen which was received by the Central Government on the 24th June 1974

AWARD

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, Bombay

Reference No. CGIT 2/12 of 1973
Employers in relation to the Belgaum Bank Limited

AND

Their workmen

PRESENT

Shri N. K. Vani Presiding Officer
APPEARANCES

For the employers—Shri S. G. Mandrokar, Advocate
For the workmen—Shri J. G. Gadkari Advocate

Industry Banking State Maharashtra
State Maharashtra

Bombay, dated the 20th May, 1974

AWARD

By order No. I 2012/88/75-LR/II dated 12-9-1973 the Government of India, in the Ministry of Labour and Rehabilitation (Department of Labour and Employment) in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the ID Act, 1947 (14 of 1947), referred to this Tribunal for adjudication an industrial dispute existing between the employers in relation to the Belgaum Bank Limited and their workmen in respect of the matter specified in the schedule as mentioned below —

SCHEDULE

"Whether the action of the management of Belgaum Bank Limited, Belgaum in dismissing Shri V. R. Deshpande from the Bank's service with effect from the 13th February 1973 is justified? If not, to what relief he is entitled?"

2 The facts giving rise to this reference are as follows —

(1) Shri V. R. Deshpande was working as a Clerk in the Gandhinagar Branch of the Belgaum Bank Limited at the relevant period. It is alleged that on 15.5.1972 he removed two bills (cheque and draft) from the table of Shri C. R. Kosendal, when he was entering the bills received through post office on 15.5.1972 for collection in the register. In this respect departmental enquiry was held against Shri Deshpande by the Enquiry Officer Shri A. G. Hegade. In that departmental enquiry,

the Enquiry Officer found that Shri V.R. Deshpande was guilty of the charge of removing two bills from Shri C. R. Kosandal's table and causing their destruction. The authorities concerned accepted the findings of the Enquiry Officer and dismissed Shri Deshpande from service with effect from 13-2-1973 by letter dated 12-2-1973 (Ex. 47/W).

(ii) On account of this, the Belgaum Bank Employees Union raised an industrial dispute by making application dated 14-3-1973 to the Labour Enforcement Officer (C) Hubli.

(iii) As Shri Deshpande was working in Chiplun Branch of the Bank (i.e. in Maharashtra) the Bank raised objection regarding jurisdiction of the Labour Enforcement Officer (C) Hubli to entertain the application. The Union therefore, made application to the Assistant Labour Commissioner (C) Bombay-II. The Assistant Labour Commissioner (C), Bombay-II tried to bring about conciliation between the parties but in vain. He ultimately submitted his failure of conciliation report to the Government. The Government then referred this dispute to this Tribunal for adjudication.

3. On receipt of the reference notices were issued to the parties. In pursuance of the notices both the parties appeared before me and filed their written statements.

4. The General Manager, Belgaum Bank Ltd., Belgaum has filed written statement on behalf of the Bank at Ex. 1/E. According to him:—

(i) Shri V. R. Deshpande was working in the Gadhinglaj Branch of the Belgaum Bank on 16-5-1972. He was charged of having removed two bills (cheque and draft) amounting to Rs. 16,500/- on 16-5-1972 from the table of Shri C. R. Kosandal, while working at Gadhinglaj Branch. Shri V. R. Deshpande filed his written statement in the enquiry. He was given sufficient opportunity to establish his innocence. He was given the facility of taking the help of a Lawyer.

(ii) The Enquiry Officer after recording the evidence came to the conclusion that Shri V. R. Deshpande was guilty of the charge. After the receipt of the report he was further asked by the General Manager whether he had anything to say about the conclusion of the Enquiry Officer who found him guilty of the charges. Shri V. R. Deshpande appeared before the Chairman and explained as to how he is not liable to be dismissed. The Board of Directors accepting the conclusion of the Enquiry Officer decided to dismiss Shri V. R. Deshpande and accordingly he has been dismissed from service with effect from 13-2-1973. Thereafter he has been paid his Provident Fund and arrears of salary till the date of dismissal.

(iii) The order of dismissal against Shri V. R. Deshpande has been passed observing all the rules of natural justice and giving him ample opportunity to show his innocence in the matter. There was no mala-fides on the part of the Bank. The order of dismissal passed against Shri Deshpande does not amount to victimisation. He removed the cheque and the draft amounting to Rs. 16,500/- from the table of Shri C. R. Kosandal. This is an act of gross misconduct. In the course of the enquiry this misconduct has been amply proved by the evidence of the witnesses who were examined and cross-examined by the Advocate of Shri V. R. Deshpande.

(iv) As Shri Deshpande was found guilty of gross misconduct in removing the cheques from the table of Shri C. R. Kosandal and throwing them in the waste paper basket, it is not in the interest of the Bank to retain him. Shri Deshpande's dismissal is proper and just.

5. Shri S. V. Vyavhare, General Secretary, Belgaum Bank Employees Union has filed written statement at Ex. 2/W on behalf of the workman Shri Deshpande. It may be noted that this written statement is nothing but the argu-

ments advanced by the General Secretary on behalf of the workman showing as to how his dismissal is not justified and that he is entitled to reinstatement.

6. The main contention of the employee as appears from his statement Annexure 'B' given in the enquiry proceedings is that he never removed the bills (draft and cheque) from the table of Shri C. R. Kosandal as alleged, that some responsible officials, with vested interest in the branch have pre-planned with the connivance of the bills' clerk to involve him deliberately and maliciously on the hear-say and false and baseless report, that he had been sincere, loyal and faithful to the Bank and that he has not committed any gross misconduct.

7. It is also contended that the enquiry has been conducted in illegal manner, that there was no sufficient and reliable evidence against him, that the findings of the Enquiry Officer that he caused destruction of the bills is without any charge against him and that the same is vitiated and that his dismissal is illegal, improper and it amounts to victimisation.

8. The General Manager of the Bank has filed rejoinder at Ex. 3/E denying the allegations made by the workman and stating the case of the Bank.

9. At the outset it may be noted that both the parties have not adduced any evidence in this case. They rely on documents and enquiry papers produced before me in this case.

10. Original enquiry papers are produced alongwith list. All these documents have been accepted and admitted in evidence by consent. They are Exhibits 4/E to 37/E.

11. The Bank has also produced correspondence relating to the two bills in question alongwith list. This correspondence is also accepted and admitted in evidence by consent. These documents, letters etc. are exhibits 48/E to 60/E.

12. The Union has produced some documents on behalf of the workmen. They are exhibits 38/W to 46/W and dismissal letter dated 12-2-1973 is Ex. 47/W.

13. From the pleadings and documents on record the following points arise for consideration :

(i) Whether the action of the Belgaum Bank Ltd., Belgaum, in dismissing Shri V. R. Deshpande, from the Bank's service with effect from 13-2-1973 is justified ?

(ii) If not, to what relief is he entitled?

(iii) what order ?

14. My findings are as follows :—

(i) No.

(ii) Entitled to reinstatement with continuity of service and back wages from the date of dismissal.

(iii) As per order.

REASONS

Point No. 1

15. At the out set it may be noted that both the parties rely on Section 11A of the Industrial Disputes Act, 1947 and the ruling of the Supreme Court of India reported in 1973, 1, LLJ, page 278. Section 11A was inserted by Section 3 of Act 45 of 1971 with effect from 15-12-1971. The present dispute has arisen in 1972 i.e. after the amended Section came into force. Hence Section 11A of the I.D. Act applies to the present case.

16. Section 11A is as follows:—

"11A. Powers of Labour Courts, Tribunals and National Tribunals to give appropriate relief in case of discharge of dismissal of workmen—where an industrial dispute relating to the discharge of dis-

dismissal of a workman has been referred to a Labour Court Tribunal or National Tribunal for adjudication proceedings the Labour Court Tribunal or National Tribunal as the case may be is justified, it may, by its award, set aside the order of discharge or dismissal and direct reinstatement of the workman on such terms and conditions as it thinks fit or give such other relief to the workman including the award of any lesser punishment in lieu of discharge or dismissal as the circumstances of the case may require.

Provided that in any proceeding under this Section the Labour Court Tribunal or National Tribunal as the case may be shall rely only on the materials on record and shall not take any fresh evidence in relation to the matter.

17 In these proceedings both the parties rely on the material on record i.e. Enquiry proceedings etc. and have not adduced any fresh evidence.

18 In the present case, the General Manager the Be'lgaum Bank Limited issued a charge-sheet dated 11.7.1972 (Ex 10/F) to Shri V. R. Deshpande which is as follows —
"Sub—Misconduct committed by you

It is reported that while you were working as a Clerk at our Gadhinglaj Branch on 16th May 1972 you removed two bills (cheques) from the table of Shri C. R. Kosandal a Clerk at Gadhinglaj Branch while he was entering the bills received for collection through post office on 15th May 1972 with a view to bring the Bank and the employee in trouble and thus tried to affect the good will and reputation of the Bank. This action is of grave nature attracting criminal liability and gross misconduct under clause Nos 19.5 (d) and (i) of the Bipartite Settlement and you are liable for severe punishment.

Without prejudice to the powers of the Management to proceed against you under criminal law you are hereby given an opportunity to explain within seventy two hours from the receipt of this memo in the matter as to why proper action should not be taken against you. If we do not receive your explanation within the stipulated period it shall be presumed that you have no explanation to offer and the matter shall be proceeded further on its merits.

Kindly acknowledge receipt "

19. After the receipt of the charge-sheet Ex 10/E Shri Deshpande submitted his explanation dated 16.7.1972, Ex 11/F denying all the allegations.

20 After the receipt of Shri Deshpande's explanation departmental enquiry was held by Shri Hegade. In that Departmental enquiry the following witnesses were examined on behalf of the Bank —

- (i) Shri R. G. Kulkarni, Ex 13/E
- (ii) Shri Dinkar Shripad Khataavkar, Ex 14/E
- (iii) Shri C. R. Kosandal Ex 15/E
- (iv) Shri Maruti Kallapa Navade, Ex 16/E
- (v) Shri G. M. Chitnis, Ex 17/F
- (vi) Shri B. M. Kulkarni, Ex 18/E
- (vii) Shri B. N. Badgi, Ex 19/F
- (viii) Shri S. D. Musale, Ex 20/E

Shri Deshpande has given his statement during the Enquiry vide Ex 21/E.

21 The report of the Enquiry Officer is produced at Ex 37/E. The Enquiry Officer has had as follows —

"After taking into consideration the above I hold Shri V. R. Deshpande Clerk now working at Chiplun Branch guilty of the charge that he removed the two bills from Shri C. R. Kosandal's table and caused their destruction."

22 It is interesting to note that there was no charge against Shri Deshpande regarding causing destruction of the two bills. The charge was only regarding removal of two bills.

23 During the enquiry Shri Khataavkar Ex 14/E has stated that 10 to 12 days thereafter (i.e. after the alleged removal of the bills) 40 to 50 torn pieces were handed over to him by Shri Deshpande saying that they were of no use and that they should be thrown in the Municipal Dust Bin that he came down the stairs of the Bank bringing the torn pieces of papers in hand and threw them in Municipal Dust Bin and that in this process some pieces were in white colour and some in blue and some in red colour.

24 Relying on this evidence, the Enquiry Officer came to the conclusion that Shri V. R. Deshpande had caused destruction of the bills.

25 As there was no specific charge regarding destruction of the bills against Shri Deshpande evidence regarding destruction as stated above should not have been allowed to come on record. In allowing this evidence to come on record principles of natural justice have been violated. As the Enquiry Officer's finding on the point regarding destruction of bills is without any specific charge against Shri Deshpande, the same is illegal. The enquiry held against Shri V. R. Deshpande is therefore vitiated to this extent.

26 The Enquiry Officer has held that Shri V. R. Deshpande has removed two bills on 16.5.1972 from the table of Shri Kosandal when the latter was busy in entering the dak in the register relying on the evidence of Shri Khataavkar Ex 14/E and Shri Kosandal Ex 15/E and the alleged oral confession given by Shri Deshpande before Shri B. M. Kulkarni, Ex 18/E and some circumstances.

27 It is urged by Shri Gadkari on behalf of Shri Deshpande that the evidence on the point of removal of two bills adduced before the Enquiry Officer during the enquiry is highly improbable, unnatural and inconsistent with human nature and that the same cannot be relied upon. There is much force in this contention.

28 Shri G. M. Chitnis was the Agent of the Gadhinglaj branch of the Bank. He was on casual leave on 16.5.1972 and 17.5.1972. As he was to be on casual leave on 16th and 17th May 1972 he had sent the Dak including bills to Shri R. G. Kulkarni Accountant on 15.5.1972. Shri P. G. Kulkarni was in charge of the Branch on these two days.

29 Shri Khataavkar Ex 14/F was working in Gadhinglaj branch as temporary peon on daily wages and according to him on 16.5.1972 at 11 A.M. Shri R. G. Kulkarni handed over bills received on 15.5.1972 to him for giving them to Shri Kosandal for making entries in the register. He then went to the table of Shri Kosandal and kept the bills on his table stating that they were given by the Agent. He then stood near the stool in front of Shri Kosandal's table. Sometime hereafter Shri V. R. Deshpande came to the Bank. Thereafter he came to Shri Kosandal's table and stood in front of his table. He then began to go through the bills. He then took away two bills to his table. Thereafter at about 11.30 A.M. Shri Deshpande was asked to work on Accountant's table. Shri Deshpande accordingly went there and did the work.

30 It appears from the above mentioned statement of Shri Khataavkar that he had seen Shri Deshpande standing in front of Shri Kosandal's table and that he had seen Shri Deshpande taking away two bills from the table of Shri Kosandal on 16.5.1972 at about 11 A.M.

31 It appears from the correspondence produced at Ex 48/F to Ex 60/F that the two bills were received in Gadhinglaj Branch by registered post on 15.5.1972 and that the search regarding these two bills began in the Bank after the receipt of some correspondence.

32 It appears from the evidence of Shri Chitnis Ex 17/F that the search for the bills started in the second week of June for 4—5 days but the same work not trade. It appears that Shri Chitnis directed Shri Maruti Kallapa Navade and Shri Khataavkar to make search of one box containing papers kept in the strong room.

33 Shri Maruti Kallana Navade Ex. 16/F says in his evidence that on 13-6-1972, daily wages peon Shri Khatavkar was making search of the bills in the box containing papers. He made search only for 10 minutes. On account of this Shri Navade felt some suspicion about him. He therefore asked him to tell the truth, remembering God but Shri Khatavkar kept mum. Shri Navade again told him that if he was not knowing pick up the flower from God.

34 On 14-6-1972 in the morning Shri Navade was about to leave his house for going out. At that time Shri Khatavkar came to his house and told him that Shri V. R. Deshpande had taken those bills and that Shri V. R. Deshpande had given the torn pieces of the bills to him and he had thrown them. Hearing this Shri Navade told him (Shri Khatavkar) that he should not have told him anything that he should tell to the Agent. Thereafter Shri Navade and Khatavkar went to the residence of the Agent. The Agent asked them to come to the office. In the office Shri Khatavkar narrated the incidence to the Agent in his presence. The Agent asked him to give his say in writing. On account of this Shri Khatavkar gave his statement in writing on 14-6-1972 to the Agent (Ex. 8/E).

35 It is interesting to note that Shri Khatavkar Ex. 14/E did not disclose anything to the persons concerned even when he was asked to make search of the two bills in the box kept in the strong room. The conduct of Shri Khatavkar in not disclosing the incidence at any time after 16-5-1972 and before 13-6-1972 is unnatural. If he would have really seen Shri Deshpande removing the two bills on 16-5-1972 he would not have kept quiet for such a long period.

36. The version given by Shri Khatavkar that 10 to 15 days after 16-5-1972 Shri Deshpande gave torn pieces of the bills with instructions to throw them in the Dust Bin appears highly unnatural and improbable. If Shri Deshpande wanted to destroy the bills removed from Shri Kosandal's table, there was no necessity for him to preserve the bills for 10 to 12 days and then hand over the torn pieces of the bills to Shri Khatavkar for throwing them into Dust Bin. He had ample opportunity for destroying the bills at some other place. There was no necessity for him to preserve the bills 10—12 days and then to hand over the torn pieces to Shri Khatavkar for throwing them in to Municipal Dust Bin.

37 On going through the evidence of Shri Khatavkar it is crystal clear that the story given by him regarding removal of two bills and destruction of the bills by Shri Deshpande is highly improbable and unnatural. It is difficult to believe.

38. Shri Kosandal, Ex. 15/E says in his evidence before the Enquiry Officer that on 16-5-1972 he came to the Bank at 11 A.M. At that time Accountant Shri R. G. Kulkarni, Shri D. P. Shahaputkar, V. R. Deshpande, Maruti Navade and Dinkar Khatavkar were in the Bank. After going to the Bank he occupied his table. Thereafter Shri Dinkar Khatavkar brought the bills given by Shri R. G. Kulkarni for making entries in the Register. Out of those bills he took out the local collection bills and started making entries in the Register. Just then Shri V. R. Deshpande came to the Bank and sat on the stool in front of his table. Shri Deshpande then began to go through the bills 4—5 minutes there after Shri Deshpande went to his table and occupied his seat. Thereafter he (Shri Kosandal) started entering in the register the remaining bills viz B. C and B.B.C. bills and sent them to the Agent's table with Shri Khatavkar. Thereafter he attended to his usual work.

39 It is clear from the above statement of Shri Kosandal, Ex. 15/E referred to above that Shri Kosandal had not seen Shri Deshpande removing the two bills from his table.

40 It is contended that Shri Kosandal did not notice Shri Deshpande removing the two bills because he was engaged in making entries in the Register. This contention cannot be accepted.

41 Shri Kosandal Ex. 15/E nowhere says in his evidence that he was engaged in making entries in the registers while Shri Deshpande was sitting on the stool in front of him and going through the bills. It cannot be therefore said that Shri Kosandal could not notice Shri Deshpande removing the two bills because he was engaged in making entries in the Register.

42 Shri Kosandal Ex. 15/F learnt in the second week of June, 1972 that two bills received on 16-5-1974 in the office were missing and that the Agent Shri Chitnis had asked all the staff members to make search of the same but the same were not traced.

43 According to Shri Kosandal, one day, the Agent Shri Chitnis told him that Shri Dinkar Khatavkar had seen Shri Deshpande removing the bills from his table on 16-5-1972 and asked him to give his report. He told the Agent that he would give his report later on. He then began to think of this and tried to remember the incident of that day. He then began to feel that Shri Deshpande had removed those bills. He then gave the report.

44 It is interesting to note that Shri Kosandal Ex. 15/E began to feel that Shri V. R. Deshpande had removed the bills only after the Agent had told him that Shri Dinkar Khatavkar had seen Shri Deshpande removing the bills. That he began to feel that Shri Deshpande had removed the bills is no evidence.

45 On going through the evidence of Shri Kosandal Ex. 15/E very carefully I find that his evidence is of no use.

46 Shri B. M. Kulkarni, Ex. 18/E. says in his evidence that Shri V. R. Deshpande had met him at Sangeshwar Bus Station about 6-7 months prior to December, 1972 and told him that he (Shri Deshpande) had removed two cheques from the table of Shri Kosandal because he did not become the member of the Union and that he (Shri Kulkarni) should not disclose this incident to any one.

47 On going through the evidence of Shri B. M. Kulkarni Ex. 18/E I find that he has given inconsistent version regarding, time, date and place, of giving confession by Shri Deshpande in his evidence. It is clear that he has given inconsistent statement on material points.

48. It is not probable that Shri Deshpande would give oral confession to Shri B. M. Kulkarni, saying that he had removed the two cheques.

49. It appears from the evidence of Shri B. M. Kulkarni Ex. 18/E that he informed the Bank about this oral confession by sending application on 28-11-1972. The circumstance that Shri B. M. Kulkarni did not disclose the confession given to him by Shri Deshpande to any authority from the Bank for a period of more than five months i.e. from June 1972 to November 1972 clearly indicates that Shri Deshpande must not have given any confession to him and that the story given by Shri B. M. Kulkarni that Shri Deshpande had given confession to him in June, 1972 is highly unnatural, improbable and inconsistent, with human nature.

50 It is alleged that Shri Kulkarni did not take Shri Deshpande's confession as true and that he was thinking that Shri Deshpande was making drama. This contention cannot be accepted even for a moment. Why should Shri Kulkarni think that Shri Deshpande was making a drama.

51 Shri Kulkarni Ex. 18/E says that he learnt that there was enquiry against Shri Deshpande for the loss of two bills eight days before he sent his report or application to the Head Office on 28-11-1972. He also admits in his cross-examination that the Agent Shri Chitnis and the accountant Shri R. G. Kulkarni had met him in November, 1972. It seems that after contacting the Agent and the Accountant and on learning about the enquiry pending against Shri Deshpande he made the application to the Head Office, stating about the confession alleged to have been given by Shri Deshpande. This circumstance creates suspicion about his evidence.

52 In short, if we go through the evidence of Shri B. M. Kulkarni and scrutinise it, will be clear that his evidence does not inspire any confidence. His evidence therefore has to be rejected.

53. Shri R. G. Kulkarni Ex.13/E was incharge of the Gadginglaj Branch of Belgaum Bank Ltd. on 16-5-1972 and 17-5-72 as the Agent Shri Chitnis was on casual leave.

54. According to him, he came to office on 16-5-1972 at about 11 A.M. He sent all the Dak of the previous day with Daily wages Peon Shri Dinkar Khatavkar to the Clerk concerned.

55. In his cross-examination, he was asked as to whether he could tell how many papers were sent to Shri Kosandal on 16-5-1972. He replied that he could not say. He was asked as to whether he could say whether Shri Kosandal received all the papers sent to him on 16-5-1972. He replied that he could not say. He was further asked as to whether he had noticed the two bills in question amongst the papers sent to Shri Kosandal on 16-5-1972. He replied that he had not seen them.

56. It is common ground that the Dak was sent on 16-5-1972 by Shri R. G. Kulkarni with Dinkar Khatavkar for giving it to Shri Kosandal for making entries in the Register. Shri Kulkarni Ex.13/E does not specifically say that he had seen the two bills in question amongst the Dak sent to Shri Kosandal through Shri Dinkar Khatavkar for making entries in the Register. Hence some doubt arises as to whether the two bills in question alleged to have been removed by Shri Deshpande were sent to Shri Kosandal on 16-5-1972 in the morning for making entries in the Register. It is also likely that after the Dak was handed over to Shri Dinkar Khatavkar and before it was placed on the table of Shri Kosandal on 16-5-1972 in the morning, something might have happened to the bills in question.

57. The Inquiry Officer has observed in his enquiry report as follows:—

"I feel that the Agent should have reported against Dinkar also."

58. The Agent Shri Chitnis had some suspicion about Shri Dinkar Khatavkar. He says in his cross-examination that he had suspicion about Shri Dinkar Khatavkar and Shri Deshpande.

59. As there is no definite evidence on record to show that the two bills in question, alleged to have been removed by Shri Deshpande were kept alongwith the other Dak on the table of Shri Kosandal by Shri Khatavkar and as the probability of something might have happened to these bills in question during the period after they were handed over to Shri Khatavkar by Shri Kulkarni and before they were placed on the table of Shri Kosandal by Shri Khatavkar cannot be ruled out, it cannot be definitely and conclusively said that Shri Deshpande had removed these bills, on the testimony of Shri Khatavkar about whom there is also suspicion.

60. Shri B. N. Badgi, Ex. 19/E is a Inspector of the Belgaum Bank Ltd. In 1969 he was deputed by the Head Office for making enquiry against Shri Deshpande. During that enquiry in the presence of Shri S. D. Musale, Ex. 20/B, Shri Deshpande tendered apology.

61. Shri S. D. Musale, Ex.20/E, however, says that Shri Badgi had come for making enquiry in the case Gadvi and Sons. In any case the enquiry regarding the allegations made against Shri Deshpande by Shri Badgi and the apology tendered by Shri Deshpande will not be of material use, if the charge regarding the removal of the two bills against Shri Deshpande fails.

62. In the present case I am holding that the evidence adduced before the enquiry officer on the point of removal of two bills by Shri Deshpande cannot be relied upon and the charge of removal of two bills cannot be held proved.

63. It is alleged that Shri Deshpande removed the two bills from the table of Shri Kosandal because he did not accede to his request to become member of the Union. At the relevant period Shri Deshpande was only a member of the Union and not any office bearer. He had no reason to request Shri Kosandal to become member of the Union.

64. It is alleged that Shri Deshpande removed the two bills from the table of Shri Kosandal because he wanted to take revenge on Shri Chitnis and Shri R. G. Kulkarni as he was forced to tender apology in the enquiry held by Shri Badgi. It does not stand to reason that Shri Deshpande would try to take revenge on the officers by removing bills simply because he was forced to give apology in the enquiry held by Shri Badgi against him.

65. Shri Deshpande alleges in his evidence Ex. 21/E that Shri Chitnis, Agent made false report at the instance of Shri R. G. Kulkarni, who was on inimical terms with him. It is alleged that Shri R. G. Kulkarni used to ask Shri Deshpande to do his agricultural and other work and that as he used to refuse to do his work his relation with him became strained. It is alleged that while Shri Deshpande was staying in the house of Shri R. G. Kulkarni as tenant, the latter insisted for enhanced rent and that as he refused to do so, he did not like it.

66. It appears from the evidence of Shri Deshpande referred to above that Shri R. G. Kulkarni had strained relation with Shri Deshpande.

67. In short, considering the evidence of all the witnesses adduced during the course of enquiry before the Enquiry Officer against Shri Deshpande and circumstances brought on record, I find that the evidence on the point of removal of two bills by Shri Deshpande from the table of Shri Kosandal on 16-5-1972 in the morning is unconvincing and unreliable and that the charge in this respect cannot be held proved.

68. If the charge levelled against Shri Deshpande cannot be held proved on the material before the Enquiry Officer, his dismissal from service by the authority concerned is not justified. Hence my finding on this point is as above.

Point No. II.

69. As the action of the management of Belgaum Bank Limited, Belgaum in dismissing Shri V. R. Deshpande from the Bank's service with effect from the 13th February, 1973 is not justified, Shri Deshpande is entitled to reinstatement in service with continuity of service and back wages from the date of dismissal. Hence my finding on this point is as above.

Point No. III.

70. In view of the above findings I pass the following order:

ORDER

(i) It is hereby declared that the action of the management of Belgaum Bank Limited, Belgaum in dismissing Shri V. R. Deshpande from the Bank's service with effect from the 13th February, 1973 is not justified and that he is entitled to reinstatement in service with continuity of service and back wages with effect from 13-2-1973.

(ii) Award is made accordingly.

(iii) No order as to costs.

N. K. VANI, Presiding Officer.

[No. 1. 12012/88/73/LR(III)]

MINISTRY OF LABOUR

New Delhi, the 28th June, 1974

S.O. 1708.—In pursuance of section 17 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Rajasthan Jaipur, in the industrial dispute between the employers in relation to the management of Khetri Copper Project owned by Hindustan Copper Limited, Khetri District Jhunjhunu, and their workmen, which was received by the Central Government on the 21st June, 1974.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
RAJASTHAN, JAIPUR

PRESENT :

Shri Updesh Narain Mathur, Presiding Officer.

Case No. CIT-32 of 1972

Ref.—Government of India, Ministry of Labour, Employment and Rehabilitation, Department of Labour & Employment Order No. 10/64/74/LRIV dated 2nd November, 1970.

In the Matter of an Industrial Dispute

BETWEEN

The Rashtriya Khetri Tamba Project Mazdoor Sangh, Khetri.

AND

The Hindustan Copper Project, Khetri.

APPEARANCES :

For the Sangh—Shri P. K. Sharma

For the Management—Shri S. B. L. Agarwal

Dated at Award : 23rd April, 1974

AWARD

The Central Government has made the following reference to this Tribunal for adjudication :—

- (i) Whether in view of the wage structure of the workmen employed in Khetri Copper Project, including Kolihan Copper Mines and Head Office at Khetri, determined recently in the Arbitration Award, Dated 11-8-1970, the demand of the Rashtriya Khetri Tamba Project Mazdoor Sangh for grant of Interim Relief in Dearness Allowance to the said employees of the Project equivalent to similar relief granted to Central Government employees in Finance Ministry's Office Memorandum No. F. 8(5)-E. III(A)/70, dated 30th September, '70 is justified, and if not to what relief are the workmen entitled?
- (ii) Whether the demand of the Rashtriya Khetri Tamba Project Mazdoor Sangh for grant of wages for the period the strike launched from 00 hours of 23rd October, 1970 continues, is justified and if not to what relief are the workmen entitled?

The statement of claim was presented by the Rashtriya Khetri Tamba Project Mazdoor Sangh. The written reply on behalf of the management of the Hindustan Copper Project, Khetri was later on filed. Evidence on both the sides was led. The case was fixed for final arguments when the parties filed an application alongwith a settlement arrived at between the Sangh and the management. A request has been made in the application that an award in the terms of the settlement may be passed. The terms of the settlement appear to be reasonable and just. Hence an award in terms of the settlement is accordingly passed. The settlement shall form part of the award.

U. N. MATHUR, Presiding Officer

Memorandum of Settlement arrived at between the management of Khetri Copper Project and their workmen represented by Khetri Tamba Shramik Sangh during conciliation proceedings held on 19-2-1974 before the Regional Labour Commissioner (Central) at Ajmer in the matter of an industrial dispute over a charter of 5 demands.

Name of the Parties:

Representing Employers

1. Shri K. C. Goel,
Chief Personnel Manager,
Khetri Copper Project,
P.O. Khetri Nagar
(Distt. Jhunjhunu)

2. Sh. B. M. Das Agrawal,
Personnel Officer,
Khetri Copper Project,

Representing Workmen:

1. Shri Amrit Nahata, M. P.
President,
Khetri Tamba Shramik Sangh,
P.O. Khetri Nagar
(Distt. Jhunjhunu)

2. Sh. R. N. L. Srivastava,
General Secretary, K.T.S.S.

P.O. Khetri Nagar
(Distt. Jhunjhunu)

3. Sh. Radha Kishan Choudhary,
Secretary, K. T. S. S.

4. Sh. N. S. Deora,
Office Secretary, K. T. S. S.

5. Sh. G. K. Parcek,
Treasurer, K. T. S. S.

The Khetri Tamba Shramik Sangh, P. O. Khetri Nagar, Distt. Jhunjhunu representing the workmen of Khetri Copper Project (A Government of India Enterprise) submitted a charter of 5 demands vide its letter No. 299/73, dated 5-11-1973 to the General Manager, of the Project. All the issues raised in the said charter of demands were discussed mutually by the parties in a number of meetings. As no tangible result was achieved during mutual negotiations, the union raised an industrial dispute before the Assistant Labour Commissioner (Central), Ajmer and its letter dated 5-1-1974 under which a copy of the above charter of demands was forwarded to him, and they also threatened direct action in the event of non fulfilment of these demands. The A. L. C. (C), Ajmer took up the matter for conciliation and he called the parties for discussions at Ajmer on 13-2-1974. In the meantime the parties decided to hold another round of discussions between themselves and for the purpose they requested the A. L. C. (C), Ajmer to defer the proposed discussions till 19-2-1974. The management also requested the Regional Labour Commissioner (Central), Ajmer over trunk telephone on 16-2-1974 to use his good offices to bring about a settlement for which an understanding had already been reached between the parties. This request of the management was acceded to by the R. L. C. (C), Ajmer and he held formal conciliation proceedings at Ajmer on 19-2-1974 when after protracted discussions the dispute was resolved on the terms enumerated below :—

TERMS OF SETTLEMENT

1. **Scales of pay of workmen who are borne on Pre-Award scales of Pay.**—It is agreed that the scales of pay of workmen who are borne on Pre-Award scales of pay will be revised as shown in Annexure-I with effect from 1st January, 1973.

Explanatory Note.—"Pre-Award scales of pay" mean the scales of pay which existed prior to the Award of the Arbitrator (Shri Gopal Narain Sharma) dated 11th August, 1970, and were not modified or revised by the Award.

2. **Scales of pay of employees who are borne on Award Scales of Pay.**—It is agreed that the scales of pay of employees who are borne on Award scales of pay will be revised as shown in Annexure-II with effect from 1st September, 1973.

Explanatory Note.—"Award Scales of Pay" mean the ten scales of pay prescribed under the Award of the Arbitrator (Shri Gopal Narain Sharma) dated 11th August, 1970.

3. **General increase in wages.**—It is agreed that all workmen shall be given with effect from the date on which their scales of pay are revised as mentioned in paras 1 and 2 above, an increase in pay of a quantum equivalent to 5 per cent of the pre-revised basic pay subject to a minimum of Rs. 15.

4. **Fitting.**—(a) On revision of scales of pay as mentioned in para (1) above with effect from the date of revision mentioned therein i.e. 1st January, 1973, all workmen who are borne on Pre-Award scales of pay shall be fitted in the revised scales of pay (vide Annexure-I) in the following manner.—The existing emoluments of each workman as on 1st January, 1973 i.e. his basic pay, dearness allowance (including dearness pay wherever applicable), ad hoc payment in terms of Settlement dated 5th November, 1970, special allowance (i.e., the amount of Rs. 7, Rs. 12, Rs. 15 and Rs. 18 as applicable to workmen in different pay ranges paid vide Settlement dated 26th June, 1971) and interim relief i.e., the interim relief of Rs. 7 paid to certain workmen in accordance with the settlement dated 15th February, 1970 and interim reliefs granted under Settlement dated 17th February, 1972 and office order No. KCP/IR(78)/72, dated 5th October, 1972 and messing allowance of Rs. 15 for nursing staff in the pay scale at Sl. Nos. 9 and 12 of Annex. I shall be computed and treated as the "Gross Emoluments" of the workmen as

on 1st January, 1973. The general increase in the wages as agreed in para (3) above shall be added to this "Gross Emoluments". After the existing emoluments have been increased and computed as above, the pay of each workman shall be fixed in the revised scale, at the stage equal to the amount so computed or if there is no such stage at the stage next above the amount so computed, with effect from 1st January, 1973. (b) On revision of scales of pay as mentioned in para (2) above and with effect from the date of revision mentioned therein i.e. 1st September, 1973, all employees who are borne on Award scales of pay shall be fitted in the revised scales of pay (vide Annexure II) in the following manner. The existing emoluments of each workman as on 1st September, 1973 i.e., his basic pay, dearness allowance, including dearness pay, wherever applicable, ad hoc payment in terms of settlement dated 5th November, 1970 and interim reliefs granted vide settlement dated 17th February, 1972 and Office order No. KCP/TR(78)/72 dated 5th October, 1972 but excluding provisional dearness allowance paid with effect from 1st May, 1973 and 1st August, 1973 shall be computed and treated as the "Gross Emoluments" of the workmen as on 1st September, 1973. The general increase as mentioned in para (3) above shall be added to the Gross Emoluments. After the existing emoluments have been increased and computed as above, the pay of each workman shall be fixed in the revised scale at the stage equal to the amount so computed or, if there is no such stage at the stage next above the amount so computed, with effect from 1st September, 1973.

Note : Illustrations are attached as (Annex. V).

5 Special Fitment benefit to workmen who are at one stage below the amount of Rs. 110, Rs. 150 and Rs. 210.—

(a) It is agreed that an employee whose basic pay in the pre-revised scale of pay is one stage below the amount of Rs. 110, Rs. 150 and Rs. 210 shall be entitled to special fitment benefit as mentioned in para (b) below. A statement showing the basic pay one stage below the amount of Rs. 110, Rs. 150 and Rs. 210 in different scales of pay is enclosed at Annexure III.

(b) The amounts as indicated below shall be notionally added to the "Gross Emoluments" of the workmen vide para (4) above before being fitted in the revised scales of pay :—

Treasurer, K. T. S. S.

Employees whose basic pay is one stage below the amount of	Notional amount to be added.
Rs. 110/-	Rs. 6/-
Rs. 150/-	Rs. 6/-
Rs. 210/-	Rs. 8/-

6. It is agreed that no workman shall be given an option to remain in the pre-revised scales of pay with effect from the date on which the scales of pay are being revised in terms of this settlement.

7. It is agreed that the normal date of increment of workman shall remain unchanged.

8. **Special fixation to certain workmen.**—In addition to the benefits provided elsewhere in this settlement, those of the existing workmen, who, on revision of their pay in terms of this settlement, are fixed at the minimum of the revised pay scales (i.e., at the stage of Rs. 200 of Rs. 200-250, and Rs. 200-282 and those fixed at the stage of Rs. 199 in the revised scale of Rs. 196-232 shall be given one increment in their revised scales and those of the workmen who are fixed at the minimum of Rs. 196 in the revised pay scales of Rs. 196-232 shall be given two increments in the scale.

9. **Dearness Allowance.**—It is agreed that the dearness allowance will be nil at cost of living index 200 in the twelve monthly average of all India average working class Consumer Price Index No. For Industrial Workers (General) (1960=100). For every rise of 8 points in the cost of living index beyond CLI 200 in the twelve monthly average of All India Average of All India Working Class Consumer Price Index No. for Industrial Workers (Central 1960=100), the Dearness Allowance rates will be as follows :—

Pay Range	Amount of Dearness Allowance
(a) Upto Rs.300/-	4% of pay
(b) Above Rs. 300/- and upto Rs. 900/-	3% of pay subject to a minimum of Rs. 12/- and maximum of Rs. 27/- per month (and subject to marginal adjustments so that pay plus D. A. does not exceed a sum of Rs. 900/- plus maximum of D. A. admissible on Rs. 900/- at the relevant C. L. I. as per above formula).

While the workmen drawing revised pay upto Rs. 900/- per month shall be given Dearness Allowance when the twelve monthly average of the index rises by eight points, workman drawing revised pay upto Rs. 940/- per month shall be brought within the purview of above dearness allowance scheme when the twelve monthly average of the index rises by sixteen and twenty four points, subject to a ceiling of Rs. 54 at 16 points and Rs. 81 at 24 points. When the index average rises above 24 points, the various categories of workmen shall be covered by the dearness allowance scheme in the same manner as for the first rise of 8 points and the cycle shall be repeated. The above rates of Dearness Allowance will be effective from the relevant dates of implementation of this settlement.

10. **Local Allowance.**—Local allowance shall continue to be paid at the existing rates as indicated in the Annexure IV.

11. **House Rent Allowance.**—It is agreed that workmen, who are not provided residential accommodation by the Company shall continue to be paid House Rent Allowance at the rate of Rs. 7/- per month in accordance with the existing rules and procedure.

12. **Underground Allowance.**—It is agreed that workman who are entitled to underground allowance as per existing rules and procedure shall be paid underground allowance at the rate of 10 per cent of their basic pay subject to a maximum of Rs. 40/- p.m.

13. **House Rent Recovery.**—It is agreed that the present rates of House rent recovery shall be revised as follows with effect from the date of implementation of the settlement i.e. 1st January, 1973 in the case of workman borne on pre-award scales of pay and 1st September, 1973 in case of workmen borne on Award Scales of pay.

Pay Range	House Rent Recoverable :
Upto a basic pay of Rs. 300/-	7½% of basic pay
Above Rs. 300/-	10% of basic pay

The recovery towards house rent is subject to the ceilings as per rules.

Note.—It is agreed that recovery of house rent on revised pay will be made effective retrospectively from the date of revision in pay only if the Central Government has effected such recovery on revision of pay of their employees.

14. Job Evaluation.—

(a) The union and Management confirm that the Report of the Job Evaluation Committee constituted in terms of the Arbitration Award dated 11th August, 1970, is final and binding on both parties.

(b) It is agreed that jobs in the mines and plants which have not been evaluated as per procedure contained in the Award dated 11th August, '70 shall now be evaluated. The Committee in this case shall, however, consist of two representatives each of the management and the union and one representative of National Productivity Council. The Committee shall submit its report by 31st May, 1974.

(c) Any change in pay scale arising out of para (b) above, shall be given effect to from 1st September, 1973. For purpose of fixation of pay in such cases, it will be deemed that such workmen were brought

over to the changed pay scale (decided after evaluation) on 31-8-1973 and the workmen will be re-fixed in the corresponding revised scale of pay with effect from 1-9-73.

15. It is agreed that the ad hoc payments given to workers in terms of para (1) of the conciliation Settlement dated 5th November, 1970 with effect from 1st March, 1970 should be counted towards emoluments for computing gross emoluments as mentioned in para (4) above. In view of this, both parties agree that the disputes pending vide Government of India, Ministry of Labour and Employment Order No. 10/64/70-LR-IV dated 2nd November, 1970 and Rajasthan State Government Order No. F-1(1) (411) L&E/70 dated 4th November, 1970 referring the matter for adjudication now stand mutually settled. The parties will jointly make an application to the Tribunal for securing a No Dispute Award.

16. The manner in which the Special Allowance paid to the workmen in Pre-Award scales of pay (vide Settlement dated 26th June, 1971) is to be adjusted against the benefits that accrued to these workmen as per Third Pay Commission's recommendation was referred to the Arbitration of ex-Chief Labour Commissioner (Central) vide settlement dated 17th February, 1972. Since the Management has agreed to treat the special allowance as part of gross emoluments as mentioned in para 4(a) above, it is agreed that the Arbitrator will be informed of the same jointly by the union and the management.

17. General.—

- (i) it is agreed that the provisions contained in this settlement shall come into force :
 - (a) On 1st January, 1973 in respect of workmen who are borne on Pre-Award scales of pay ; and
 - (b) On 1st September, 1973 in respect of workmen who are borne on Award scales of pay.
- (ii) It is agreed that the provisions contained in this settlement shall continue to remain in force upto 30th April, 1976.
- (iii) It is agreed that revision in the basic pay arising out of this settlement shall not enhance entitlement to types of quarters, class of travel in duty or otherwise, Daily Allowance rates applicable and accordingly rules in regard to these entitlement will be amended.
- (iv) It is agreed that consequential payments such as overtime, travelling allowance, daily allowance, which workmen may be entitled to due to revision in pay shall be calculated from 1-2-1974 and no arrears prior to 1-2-74 shall be payable in respect of any such consequential payments.
- (v) The Union agrees not to raise, during the currency of this settlement any demand regarding wages, allowances and other such matters.
- (vi) The Union assures that it will co-operate fully with the management in increasing productivity and efficiency and maintain industrial peace.
- (vii) Both parties agree that this is a fair and reasonable settlement and this settles fully and finally all the demands of the union contained in their charter of demands submitted vide their letter No. 299/73 dated 5th November, 1972 and all subsequent correspondence thereon.

18. The provisions of this Settlement shall be applicable to all workmen in Khetri Copper Project, including workmen of Kolihaan Copper Mine and Chaotha Water Supply Establishment, who are on the rolls of the Project on 22-12-1973. This settlement shall also apply to those of the workmen who are on Company's rolls, but are stationed at Khetri Nagar and working in Khetri Copper Project on 22-12-1973.

19. All clauses of this Settlement shall be implemented by 31st May, 1974 and thereafter both the parties shall furnish their implementation report to the Regional Labour Commissioner (C), Ajmer within 15 days.

Sd/-
(B. M. Das Agrawal)
Representing Employers
Sd/-
(K. C. Goel)
Representing workmen.

Sd/-
1. (Amrit Nahata)
Sd/-
2. (R. N. L. Srivastava)
Sd/-
3. (Radha Kishan Choudhary)
Sd/-
4. (N. S. Deora)
Sd/-
5. (G. K. Pareek)

Witnesses :

Sd/-
1. (R. S. Sharma)
Sd/-
2. (Gulab Singh)

Sd/-
(A. S. Gupta)
Regional Labour Commissioner (C),

Ajmer,
Dated 19-2-1974.

ANNEXURE-I

Statement showing the existing pre-Award pay scales and corresponding revised pay scales
(Referred to in para 1)

S. No.	Existing pre-Award Pay Scales	Revised pay scales
1.	70-80-EB-1-85	196-3-220-LB-3-232
2.	75-1-85-2-95	200-3-206-4-234-EB-4-250
3.	85-2-95-3-110	210-4-250-EB-5-270
4.	110-3-131-4-143-EB-4-155	260-6-326-FB-8-350
5.	110-3-131-4-155-LB-4-175-5-180	260-6-290-FB-6-326-8-366-LB-8-390-10-400
6.	130-5-160-8-200-EB-8-240	330-8-370-10-400-LB-10-480
7.	130-5-160-8-200-EB-8-280-10-300	330-10-380-EB-12-500-EB-15-560
8.	210-10-290-15-320	425-15-560-LB-20-640
9.*	210-10-290-15-320	455-15-560-LB-20-700
10.	210-10-290-15-320-EB-15-425	425-15-500-EB-15-560-20-700
11.	250-10-290-15-380	455-15-560-EB-20-700
12.*	250-10-290-15-380	550-20-650-25-750
13.	270-15-435	500-20-700
14.	320-15-425-EB-15-530	550-20-650-25-800

*The revised scales are for nursing staff and include Rs. 45/- paid as messing allowance.

Statement showing the existing Award scales of pay of the Arbitration Award dated 11th August, 1970 and the corresponding revised scales of pay

(referred to in para 2)

S. No.	Existing Award scales of pay	Corresponding revised scales of pay
1	2	3
1.	75-2-50-85-4-125	200-4-232-5-282
2.	85-4-105-5-155	210-5-230-6-320
3.	100-4-120-5-170	235-6-325-7-353
4.	115-5-140-6-200	270-6-300-8-380

ANNEXURE-V

Statement showing examples of fixation of pay in the revised Pay Scales

1	2	3
5. 130-7-165-8-245	300-8-348-10-438-	
6. 150-8-190-10-290	330-10-380-12-500	
7. 200-10-250-15-400	390-12-450-15-600	
8. 250-15-325-20-525	460-20-700*	
9. 330-20-430-25-680	550-25-900*	
10. 350-25-30-700-550	500-25-730-30-940**	

Note: *This scale applies to posts such as Senior Surveyor, Engineering Assistant and all other categories as per present classification.

**This scale applies to posts such as Foreman and all other categories as per present classification

ANNEXURE-III

Statement showing stages (in different scales of pay) immediately below the amount of Rs. 110/-, Rs. 150/- and Rs. 210/- Referred to in para 5).

S. No.	Scales of pay	One stage below
		Rs. 110/- Rs. 150/- Rs. 210/-

Award Scales of Pay

1. 75-2-50-85-4-125	109/-	—	—
2. 85-4-105-5-155	105/-	145/-	—
3. 100-4-120-5-170	108/-	145/-	—
4. 115-5-140-6-200	—	146/-	—
5. 130-7-165-8-245	—	144/-	205
6. 150-8-190-10-290	—	—	200/-
7. 200-10-250-15-400	—	—	200/-

Pre-Award Scales of Pay

1. 85-2-95-3-110	107/-	—	—
2. 110-3-131-4-143-EB-4-155	—	147/-	—
3. 110-3-131-4-155-LB-4-175-5-180	—	147/-	—
4. 130-5-160-8-200-FB-8-280-10-300	—	145/-	208/-
5. 130-5-160-8-200-EB-8-240	—	145/-	208/-

ANNEXURE-IV

Rates of Local Allowances

(Referred to in para 10 of the settlement)

Basic Pay	Rates
Below Rs. 300/-	10% of the basic pay
From Rs. 301/- to Rs. 500/-	10% of the basic pay subject to a minimum of Rs. 31-25 and maximum of Rs. 42.50 p
From Rs. 501/- to Rs. 600/-	Rs. 50/-
From Rs. 601/- to Rs. 699/-	Rs. 60/-
From Rs. 700/- to Rs. 940/-	Rs. 62.50 p

Example (1) —Fixation of pay of pre-Award scales in revised pay scales vide para 4(a)

Pre-Award scale —130-5-160-8-200-LB-8-240

Revised pay scale —330-8-370-10-400-EB-10-480

Emoluments:

Basic Pay —168

D.A. —122

Ad hoc payment vide settlement dated 5-11-70 —25

Interim relief vide settlement dated 15-2-70 —7

Special Allowance —15

Interim reliefs granted under settlement dated 17-2-72 and office order dated 5-10-72 —16
—353

General increase vide para 3(a) 5% subject to minimum of Rs. 15/- —15
—368

Pay in the revised scale at the next stage as there is no equal stage 370

Example (2) —Fixation of pay of Award scale in revised pay scale vide para 4(b)

Award scale —115-5-140-6-200

Revised scale —270-6-300-8-380

Existing emoluments:
Basic pay 130

D.A. —93

Ad hoc payment in terms of settlement dt. 5-11-70 —25

Interim relief granted under settlement dated 17-2-72 and office order dated 5-10-72 —16
—269

General increase vide para 3(a) 5% subject to a minimum of Rs. 15/- 15
—284

Pay in the revised scale —288

[No. 10/64/70-LR. IV]

P. R. NAYAR, Under Secy.

पूर्ति और पुनर्वास मंत्रालय

(पुनर्वास विभाग)

नई दिल्ली, 22 जून, 1974

MINISTRY OF SUPPLY & REHABILITATION

(Department of Rehabilitation)

New Delhi, the 22nd June, 1974

क्रा० आ० 1709—निष्क्रान्त सम्पत्ति प्रशासन अधिनियम, 1950 (1950 की 31) को धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा भारत सरकार के तत्कालीन श्रम तथा पुनर्वास मंत्रालय (पुनर्वास विभाग) की अधिसूचना संख्या 5 (4)/प्रशासन-2/72 दिनांक 31 दिसम्बर 1971 का अतिरक्षण करते हुए, केन्द्रीय सरकार इसके द्वारा श्री जी० सी० मोघा को उक्त अधिनियम के द्वारा या उसके अन्तर्गत महा अधिरक्षक को सौंपे गए कार्यों को सम्पन्न करने के लिए निष्क्रान्त सम्पत्ति उप महा अधिरक्षक के रूप में नियुक्त करती है।

[सं० 15/2/74-विशेष सेल/एस०एम०-4]

डी० एन० असीजा, प्रवर सचिव

S.O. 1709.—In exercise of the powers conferred by section 5 of the Administration of Evacuee Property Act, 1950 (31 of 1950) and in supersession of the notification of the Government of India in the late Ministry of Labour and Rehabilitation (Department of Rehabilitation) No. 5(4)/Adm. II/72 dated the 31st December, 1971, the Central Government hereby appoints Shri G. C. Mogha as the Deputy Custodian General of Evacuee Property for the purpose of discharging the duties imposed upon the Custodian General by or under the said Act.

[No. 15/2/74-Spl. Cell/SS IV]

D. N. ASIJA, Under Secy.